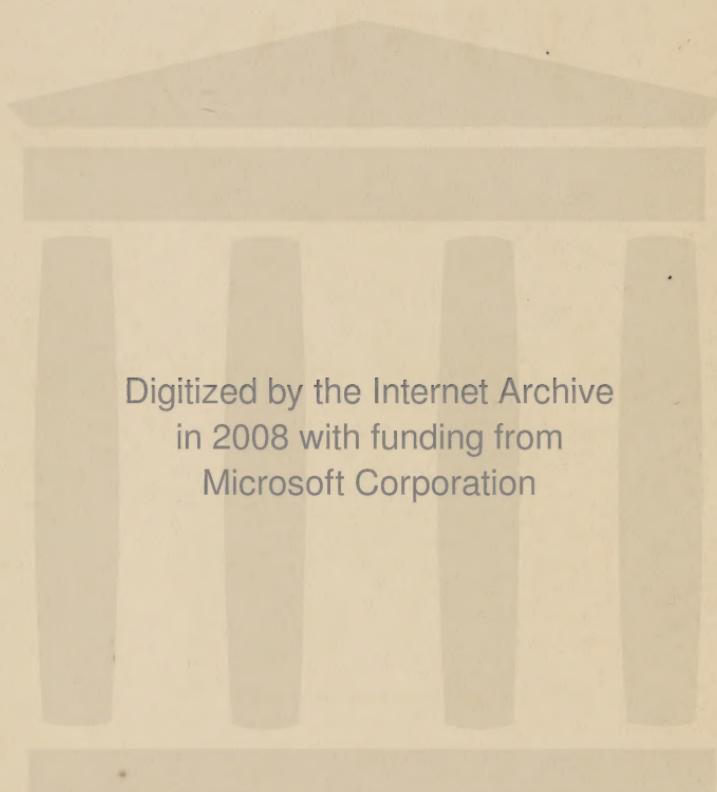


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SELECT ORATIONS

OF

LYSIAS.

W. Kellogg

EDITED BY

JAMES MORRIS WHITON, PH.D.,

AUTHOR OF "FIRST LESSONS IN GREEK," ETC.



BOSTON:
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GIFT KELLOGG

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PREFACE.

THAT the writings of Lysias have hitherto been so little used by American students must be due rather to the lack of American editions,—though of German editions there is no lack. Certainly it is not attributable to any inferiority, either in merit of style or in interest of subject, in those specimens of his numerous orations which have come down to us. Such was his ancient fame, that nearly twice as many orations as he actually composed were ascribed to him. The large number of two hundred and thirty orations was accepted by the ancient critics as genuinely his, of which there are now extant only thirty-four, not all either complete or indisputably genuine, and a still larger number of fragments.

As a representative of the purest Attic style, Lysias has no superior. Among the ancients he was regarded as a model of that quality called *ἰσχύροτης*, or *tenuitas*,—for which see *Biographical Introduction*. He was also highly esteemed for a certain gracefulness of expression, which was regarded as a characteristic peculiarly his. At the same time, he showed no lack of energy, as Cicero observes: “In Lysia sæpe sunt etiam lacerti sic ut fieri nihil possit valentius.” (*Brutus*, 16, 64.) In general, his style may be further characterized as clear, sufficient and precise; always natural and appropriate;

at once simple and dignified ; not devoid of rhetorical ornament, and yet carefully subordinating it to the orator's practical purpose. The tradition that only two of all the orations which he composed for others were unsuccessful, whether exaggerated or not, marks the height of the fame which he attained among the orators of Athens, and harmonizes with the exalted praise which Cicero himself bestows : “ *Tum fuit Lysias, ipse quidem in causis forensibus non versatus, sed egregie subtilis scriptor atque elegans, quem jam probe audeas oratorem perfectum dicere.* ” (*Brutus*, 9, 35.)

The orations comprised in this edition were all composed within the ten years subsequent to the expulsion of the Thirty Tyrants from Athens, b. c. 403. While they all bear the marks of their times, the oration against Eratosthenes, in particular, abounds in references to that painfully interesting portion of the history of Athens, which exhibits her imperial democracy, exhausted, despoiled, and bleeding, in its humiliating decline and pitiable overthrow. A special interest attaches to this oration, also, from its being the only one of all the extant number which Lysias delivered himself,— the others having been composed for his clients to deliver from memory in pleading their own cases before various tribunals.

For a sketch of Lysias's life and professional work, see the *Biographical Introduction*.

The text of this edition is substantially that of Dr. R. Rauchenstein's sixth edition, Berlin, 1872. Where any variation occurs, suitable reference is made in the Notes. A table of various readings has been added. In the preparation of the Notes free use has been made of the notes of Rauchenstein, and, to some extent, of the notes of Frohberger, in his first and third volumes, Leipsic, 1866 and 1871. For a large part of the annotations, however, the present editor is alone

responsible. Geographical, historical, and archæological points have been treated, it is hoped, comprehensively enough to meet the necessities of those students who are not supplied with the more costly works for reference, and yet not so minutely as to make such further reference undesirable. For the benefit of those who, in an earlier part of their course, have used Goodwin's *Greek Reader*, occasional references are made to that book, as containing extracts from Xenophon's *Hellenica* covering the same part of Athenian history as the Oration against Eratosthenes. Grammatical references have been made to Goodwin's *Greek Grammar*, third edition (G.), Hadley's (larger) *Greek Grammar* (H.), and to Goodwin's *Greek Moods and Tenses*, sixth edition, revised (G.), the last named of which is by no means to be supposed unnecessary to the possessor of either or both of the other two. As to other references, some citations have been made from Buttmann's *University Grammar*, Harper's Ed., also from Grote's *History of Greece*, Harper's Ed., 12 vols., and from Curtius's *History of Greece*, Scribner's Ed., 5 vols.

The editor's grateful acknowledgments are due to his friends, Dr. Lewis R. Packard, Professor of Greek at Yale, and Mr. John Williams White, Tutor in Greek at Harvard, for their valuable suggestions in the undertaking and execution of the work.

LYNN, September, 1875.

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ΛΤΣΙΑΣ



XVI.

ΕΝ ΒΟΤΛΗΙ

ΜΑΝΤΙΘΕΩΙ ΔΟΚΙΜΑΖΟΜΕΝΩΙ
ΑΠΟΛΟΓΙΑ.

ΕΙ μὴ συνήδειν, ὡς βουλή, τοῖς κατηγόροις βουλομένοις ἐκ παντὸς τρόπου κακῶς ἐμὲ ποιεῖν, πολλὴν ἀν αὐτοῖς χάριν εἶχον ταύτης τῆς κατηγορίας. ἡγοῦμαι γὰρ τοῖς ἀδίκως διαβεβλημένοις τούτους εἶναι μεγίστων ἀγαθῶν αἰτίους, οἵτινες ἀν αὐτοὺς ἀναγκάζωσιν εἰς ἔλεγχον τῶν αὐτοῖς βεβιωμένων καταστῆναι. ἐγὼ γὰρ οὕτω σφόδρα ἐμαυτῷ πιστεύω, ὅστ' ἐλπίζω καὶ εἴ τις πρός με τυγχάνει ἀηδῶς [ἢ κακῶς] διακείμενος, ἐπειδὴν ἐμοῦ λέγοντος ἀκούσῃ περὶ τῶν πεπραγμένων, μεταμελήσειν αὐτῷ καὶ πολὺ βελτίω με εἰς τὸν λοιπὸν χρόνον ἡγήσεσθαι. ἀξιῶ δέ, ὡς βουλή, ἐὰν μὲν τοῦτο μόνον ὑμῖν ἀποδείξω, ως εὖνος εἰμὶ τοῖς καθεστηκόσι πράγμασι καὶ ως ἡνάγκασμαὶ τῶν αὐτῶν κινδύνων μετέχειν ὑμῖν, μηδέν πώ μοι πλέον εἶναι. ἐὰν δὲ φαινωμαι καὶ περὶ τὰ ἄλλα μετρίως βεβιωκὼς καὶ πολὺ

παρὰ τὴν δόξαν καὶ παρὰ τοὺς λόγους τοὺς τῶν ἔχθρῶν, δέομαι ὑμῶν ἐμὲ μὲν δοκιμάζειν, τούτους δὲ ἱγεῖσθαι χείρους εἶναι. πρῶτον δὲ ἀποδείξω ὡς οὐχ ἵππευον [οὔτ' ἐπεδήμουν] ἐπὶ τῶν τριάκοντα, οὐδὲ μετέσχον τῆς τότε πολιτείας.

4 'Ημᾶς γὰρ ὁ πατὴρ πρὸ τῆς ἐν 'Ελλησπόντῳ συμφορᾶς ὡς Σάτυρον τὸν ἐν τῷ Πόντῳ διαιτησομένους ἔξεπεμψε, καὶ οὕτε τῶν τειχῶν καθαιρουμένων ἐπεδίμουν οὕτε μεθισταμένης τῆς πολιτείας, ἀλλ' ἥλθομεν πρὸν τοὺς ἀπὸ Φυλῆς εἰς τὸν Πειραιᾶ κατελθεῖν πρότερον πένθ' ἡμέραις. καίτοι οὕτε ἡμᾶς εὔκος ἦν εἰς τοιοῦτον καιρὸν ἀφιγμένους ἐπιθυμεῖν μετέχειν τῶν ἀλλοτρίων κινδύνων, οὔτ' ἐκεῖνοι φαίνονται τοιαύτην γνώμην ἔχοντες ὥστε καὶ τοῖς ἀποδημοῦσι καὶ μηδὲν ἔξαμαρτάνονται τῆς πολιτείας, ἀλλὰ μᾶλλον ἡτίμαζον καὶ τοὺς συγκαταλύσαντας τὸν δῆμον.

6 Ἐπειτα δὲ ἐκ μὲν τοῦ σανιδίου τοὺς ἵππεύσαντας σκοπεῖν εὕθετός ἐστιν. ἐν τούτῳ γὰρ πολλοὶ μὲν τῶν ὁμολογούντων ἵππεύειν οὐκ ἔνεισιν, ἔνιοι δὲ τῶν ἀποδημούντων ἐγγεγραμμένοι εἰσίν. ἐκεῖνος δ' ἐστὶν ἐλεγχος μέγιστος. ἐπειδὴ γὰρ κατήλθετε, ἐψηφίσασθε τοὺς φυλάρχους ἀπενεγκεῖν τοὺς ἵππεύσαντας, ἵνα τὰς καταστάσεις ἀναπράξητε παρ' αὐτῶν. ἐμὲ τοίνυν οὐδεὶς ἀν ἀποδείξειν οὔτ' ἀπενεχθέντα ὑπὸ τῶν φυλάρχων οὕτε παραδοθέντα τοῖς συνδίκοις [οὔτε κατάστασιν καταβαλόντα]. καίτοι πᾶσι ῥάδιον τοῦτο γνῶναι, ὅτι ἀναγκαῖον ἦν τοῖς φυλάρχοις, εἰ μὴ ἀποδείξειαν τοὺς ἔχοντας τὰς καταστάσεις, αὐτοῖς ζημιοῦσθαι. ὥστε

πολὺ ἀν δικαιότερον ἐκείνοις τοῖς γράμμασιν ἢ τούτοις πιστεύοιτε· ἐκ μὲν γὰρ τούτων ράδιον ἦν ἐξαλει- φθῆναι τῷ βουλομένῳ, ἐν ἐκείνοις δὲ τοὺς ἵππεύσαν- τας ἀναγκαῖον ἦν ὑπὸ τῶν φυλάρχων ἀπενεχθῆναι.
 Ἐτι δέ, ὡς βουλή, εἴπερ ἵππεύσα, οὐκ ἀν ἦν ἐξαρνος 8
 ὡς δεινόν τι πεποιηκώς, ἀλλ' ἡξίουν, ἀποδείξας ὡς
 οὐδεὶς ὑπ' ἐμοῦ τῶν πολιτῶν κακῶς πέπονθε, δοκιμά-
 ζεσθαι. ὅρῶ δὲ καὶ ὑμᾶς ταύτη τῇ γυνώμῃ χρωμένους,
 καὶ πολλοὺς μὲν τῶν τότε ἵππεύσαντων βουλεύοντας,
 πολλοὺς δ' αὐτῶν στρατηγοὺς καὶ ἵππάρχους κεχειρο-
 τονημένους. ὥστε μηδὲν δι' ἄλλο με ἡγεῖσθε ταύτην
 ποιεῖσθαι τὴν ἀπολογίαν, ἢ ὅτι περιφανῶς ἐτόλμησάν
 μου καταψεύσασθαι. Ἀνάβηθι δέ μοι καὶ μαρτύ-
 ρησον.

ΜΑΡΤΥΡΙΑ.

Περὶ μὲν τοίνυν αὐτῆς τῆς αἰτίας οὐκ οἶδ' ὅτι δεῖ πλείω λέγειν· δοκεῖ δέ μοι, ὡς βουλή, ἐν μὲν τοῖς ἄλλοις ἀγῶσι περὶ αὐτῶν μόνων τῶν κατηγορημένων προσήκειν ἀπολογεῖσθαι, ἐν δὲ ταῖς δοκιμασίαις δίκαιου εἶναι παντὸς τοῦ βίου λόγον διδόναι. δέομαι οὖν ὑμῶν μετ' εὐνοίας ἀκρούσασθαι μου. ποιήσομαι δὲ τὴν ἀπο-
 λογίαν ὡς ἀν δύνωμαι διὰ βραχυτάτων.

Ἐγὼ γὰρ πρῶτον μὲν οὐσίας μοι οὐ πολλῆς κατα- 10
 λειφθείσης διὰ τὰς συμφορὰς καὶ τὰς τοῦ πατρὸς καὶ
 τὰς τῆς πόλεως, δύο μὲν ἀδελφὰς ἐξέδωκα, ἐπιδοὺς
 τριάκοντα μνᾶς ἑκατέρᾳ, πρὸς τὸν ἀδελφὸν δ' οὔτως
 ἐνειμάμην ὥστ' ἐκείνου πλέον ὁμολογεῖν ἔχειν ἐμοῦ

τῶν πατρώων, καὶ πρὸς τοὺς ἄλλους ἅπαντας οὕτω
 βεβίωκα ὥστε μηδεπώποτέ μοι μηδὲ πρὸς ἔνα μηδὲν
 11 ἔγκλημα γενέσθαι. καὶ τὰ μὲν ἴδια οὕτω διάκηκα·
 περὶ δὲ τῶν κοινῶν μοι μέγιστον ἡγοῦμαι τεκμήριον
 εἶναι τῆς ἐμῆς ἐπιεικείας, ὅτι τῶν νεωτέρων ὅσοι περὶ¹²
 κύβους ἢ πότους ἢ ἐτέρας τοιαύτας ἀκολασίας τυγχά-
 νουσι τὰς διατριβὰς ποιούμενοι, πάντας αὐτοὺς ὄψεσθέ
 μοι διαφόρους δύντας, καὶ πλεῖστα τούτους περὶ ἐμοῦ
 λογοποιοῦντας καὶ ψευδομένους. καίτοι δῆλον ὅτι, εἰ
 τῶν αὐτῶν ἐπεθυμοῦμεν, οὐκ ἀν τοιαύτην γνώμην εἶχον
 περὶ ἐμοῦ. ἔτι δ', ὡς Βουλή, οὐδεὶς ἀν ἀποδεῖξαι περὶ¹³
 ἐμοῦ δύνατο οὔτε δίκην αἰσχρὰν οὔτε γραφὴν οὔτε
 εἰσαγγελίαν γεγενημένην· καίτοι ἐτέρους ὄρατε πολ-
 λάκις εἰς τοιούτους ἀγῶνας καθεστηκότας. πρὸς τοί-
 νυν τὰς στρατείας καὶ τοὺς κινδύνους τοὺς πρὸς τοὺς
 πολεμίους σκέψασθε οἷον ἐμαυτὸν παρέχω τῇ πόλει.
 πρῶτον μὲν γάρ, ὅτε τὴν συμμαχίαν ἐποιήσασθε πρὸς
 [τοὺς] Βοιωτοὺς καὶ εἰς Ἀλίαρτον ἔδει βοηθεῖν, ὑπὸ¹⁴
 Ὁρθοβούλου κατειλεγμένος ἵππεύειν, ἐπειδὴ πάντας
 ἔώρων τοῖς μὲν ἵππεύουσιν ἀσφάλειαν εἶναι [δεῖν]
 νομίζοντας, τοῖς δ' ὀπλίταις κίνδυνον ἡγουμένους, ἐτέ-
 ρων ἀναβάντων ἐπὶ τοὺς ἵππους ἀδοκιμάστων παρὰ
 τὸν νόμον ἐγὼ προσελθὼν ἔφην τῷ Ὁρθοβούλῳ ἔξα-
 λεῖψαι με ἐκ τοῦ καταλόγου, ἡγούμενος αἰσχρὸν εἶναι
 τοῦ πλήθους μέλλοντος κινδυνεύειν ἀδειαν ἐμαυτῷ πα-
 ρασκευάσαντι στρατεύεσθαι. Καὶ μοι ἀνάβηθι, Ὁρθό-
 Βουλε.

Συλλεγέντων τοίνυν τῶν δημοτῶν πρὸ τῆς ἐξόδου, ¹⁴ εἰδὼς αὐτῶν ἐνίους πολίτας μὲν χρηστοὺς ὄντας καὶ προθύμους, ἐφοδίων δὲ ἀποροῦντας, εἶπον ὅτι χρὴ τοὺς ἔχοντας παρέχειν τὰ ἐπιτήδεια τοῖς ἀπόρως διακειμένοις. καὶ οὐ μόνον τοῦτο συνεβούλευον τοῖς ἄλλοις, ἀλλὰ καὶ αὐτὸς ἔδωκα δυοῖν ἀνδροῖν τριάκοντα δραχμὰς ἑκατέρῳ, οὐχ ὡς πολλὰ κεκτημένος, ἀλλ' ἵνα παράδειγμα τοῦτο τοῖς ἄλλοις γένηται. Καί μοι ἀνάβητε, [μάρτυρες.]

ΜΑΡΤΥΡΕΣ.

Μετὰ ταῦτα τοίνυν, ὡς βουλή, εἰς Κόρινθον ἐξόδου ¹⁵ γενομένης καὶ πάντων προειδότων ὅτι δεήσει κινδυνεύειν, ἐτέρων ἀναδυομένων ἐγὼ διεπραξάμην ὥστε τῆς πρώτης τεταγμένος μάχεσθαι τοῖς πολεμίοις. καὶ μάλιστα τῆς ἡμετέρας φυλῆς δυστυχησάσης, καὶ πλείστων ἀποθανόντων, ὕστερος ἀνεχώρησα τοῦ σεμνοῦ Στειριῶς τοῦ πᾶσιν ἀνθρώποις δειλίαν ὀνειδικότος. καὶ οὐ πολλαῖς ἡμέραις ¹⁶ ὕστερον μετὰ ταῦτα ἐν Κορίνθῳ χωρίων ἴσχυρῶν κατειλημμένων, ὥστε τοὺς πολεμίους μὴ δύνασθαι προσιέναι, Ἀγησιλάου δ' εἰς τὴν Βοιωτίαν ἐμβαλόντος, ψηφισαμένων τῶν ἀρχόντων ἀποχωρίσαι τάξεις αἴτινες βοηθήσουσι, φοβούμενων ἀπάντων (εἰκότως, ὡς βουλή· δεινὸν γὰρ ἦν ἀγαπητῶς ὀλίγῳ πρότερον σεσωσμένους ἐφ' ἐτερον κίνδυνον ἰέναι) προσελθὼν ἐγὼ τὸν ταξίαρχον ἐκέλευον ἀκληρωτὶ τὴν ἡμετέραν τάξιν πέμπειν. ὡστ' εἴ τινες ὑμῶν ὀργίζονται τοῖς τὰ μὲν ¹⁷ τῆς πόλεως ἀξιοῦσι πράττειν, ἐκ δὲ τῶν κινδύνων

ἀποδιδράσκουσιν, οὐκ ἀν δικαίως περὶ ἔμοῦ τὴν γνώμην ταύτην ἔχοιεν· οὐ γὰρ μόνον τὰ προσταττόμενα ἐποίουν προθύμως, ἀλλὰ καὶ κινδυνεύειν ἐτόλμων. καὶ ταῦτ' ἐποίουν οὐχ ὡς οὐ δεινὸν ἡγούμενος εἶναι Λακεδαιμονίοις μάχεσθαι, ἀλλ' ἵνα, εἴ ποτε ἀδίκως εἰς κινδυνού καθισταίμην, διὰ ταῦτα βελτίων ὑφ' ὑμῶν νομιζόμενος ἀπάντων τῶν δικαίων τυγχάνοιμι. Καί μοι ἀνάβητε τούτων μάρτυρες.

ΜΑΡΤΥΡΕΣ.

18 Τῶν τοίνυν ἄλλων στρατειῶν καὶ φρουρῶν οὐδεμιᾶς ἀπελείφθην πώποτε, ἀλλὰ πάντα τὸν χρόνον διατετέλεκα μετὰ τῶν πρώτων μὲν τὰς ἐξόδους ποιούμενος, μετὰ τῶν τελευταίων δὲ ἀναχωρῶν. καίτοι χρὴ τοὺς φιλοτίμως καὶ κοσμίως πολιτευομένους ἐκ τῶν τοιούτων σκοπεῖν, ἀλλ' οὐκ εἴ τις κομᾶ, διὰ τοῦτο μισεῖν· τὰ μὲν γὰρ τοιαῦτα ἐπιτηδεύματα οὔτε τοὺς ἴδιώτας οὔτε τὸ κοινὸν τῆς πόλεως βλάπτει, ἐκ δὲ τῶν κινδυνεύειν ἐθελόντων πρὸς τοὺς πολεμίους ἀπαντεῖς ὑμεῖς ὡφελεῖσθε. ὥστε οὐκ ἄξιον ἀπ' ὅψεως, ὡς βουλή, οὔτε φιλεῖν οὔτε μισεῖν οὐδένα, ἀλλ' ἐκ τῶν ἔργων σκοπεῖν· πολλοὶ μὲν γὰρ μικρὸν διαλεγόμενοι καὶ κοσμίως ἀμπεχόμενοι μεγάλων κακῶν αἴτιοι γεγόνασιν, ἔτεροι δὲ τῶν τοιούτων ἀμελοῦντες πολλὰ κάγαθὰ ὑμᾶς εἰσιν εἰργασμένοι.

20 "Ηδη δέ τινων ἡσθόμην, ὡς βουλή, καὶ διὰ ταῦτα ἀχθομένων μοι, ὅτι νεώτερος ὁν ἐπεχείρησα λέγειν ἐν τῷ δήμῳ. ἐγὼ δὲ τὸ μὲν πρώτον ἡναγκάσθην ὑπὲρ

τῶν ἐμαυτοῦ πραγμάτων δημηγορῆσαι, ἔπειτα μέντοι καὶ ἐμαυτῷ δοκῶ φιλοτιμότερον διατεθῆναι τοῦ δέοντος, ἀμα μὲν τῶν προγόνων ἐνθυμούμενος, ὅτι οὐδὲν πέπαυνται τὰ τῆς πόλεως πράττοντες, ἀμα δὲ ὑμᾶς ὄρῶν (τὰ γὰρ ἀληθῆ χρὴ λέγειν) τοὺς τοιούτους μόνους ἀξίους νομίζοντας εἶναι, ὥστε ὄρῶν ὑμᾶς ταύτην τὴν γνώμην ἔχοντας τίς οὐκ ἀν ἐπαρθείη πράττειν καὶ λέγειν ὑπὲρ τῆς πόλεως; ἔτι δὲ τί ἀν τοῖς τοιούτοις ἄχθοισθε; οὐ γὰρ ἔτεροι περὶ αὐτῶν κριταί εἰσιν, ἀλλ' ὑμεῖς.

XII.

ΚΑΤΑ ΕΡΑΤΟΣΘΕΝΟΥΣ

ΤΟΤ ΓΕΝΟΜΕΝΟΤ ΤΩΝ ΤΡΙΑΚΟΝΤΑ, ΟΝ
ΑΤΤΟΣ ΕΙΠΕ ΛΤΣΙΑΣ.

ΟΤΚ ἄρξασθαι μοι δοκεῖ ἄπορον εἶναι, ὃ ἄνδρες
δικασταί, τῆς κατηγορίας, ἀλλὰ παύσασθαι λέγοντι·
τοιαῦτα αὐτοῖς τὸ μέγεθος καὶ τοσαῦτα τὸ πλῆθος
εἴργασται, ὡστε μήτ' ἀν ψευδόμενον δεινότερα τῶν
ὑπαρχόντων κατηγορῆσαι, μήτε τάληθή βουλόμενον
εἰπεῖν ἄπαντα δύνασθαι, ἀλλ' ἀνάγκη ἡ τὸν κατή-
γορον ἀπειπεῖν ἡ τὸν χρόνον ἐπιλιπεῖν. τούναντίον
δέ μοι δοκοῦμεν πείσεσθαι ἡ ἐν τῷ πρὸ τοῦ χρόνῳ.
πρότερον μὲν γὰρ ἔδει τὴν ἔχθραν τοὺς κατηγοροῦντας
ἐπιδεῖξαι, ἡτις εἴη πρὸς τοὺς φεύγοντας· νυνὶ δὲ παρὰ
τῶν φευγόντων χρὴ πυνθάνεσθαι ἡτις ἦν αὐτοῖς πρὸς
τὴν πόλιν ἔχθρα, ἀνθ' ὅτου τοιαῦτα ἐτόλμησαν εἰς
αὐτὴν ἐξαμαρτάνειν. οὐ μέντοι ὡς οὐκ ἔχων οὐκείας
ἔχθρας καὶ συμφορὰς τοὺς λόγους ποιοῦμαι, ἀλλ' ὡς
ἄπασι πολλῆς ἀφθονίας οὔσης ὑπὲρ τῶν ἰδίων ἡ ὑπὲρ
τῶν δημοσίων ὀργίζεσθαι. ἐγὼ μὲν οὖν, ὃ ἄνδρες
δικασταί, οὗτ' ἐμαυτοῦ πώποτε οὔτε ἀλλότρια πρά-
γματα πράξας νῦν ἡνάγκασμαι ὑπὸ τῶν γεγενημένων
τούτου κατηγορεῖν, ὡστε πολλάκις εἰς πολλὴν ἀθυμίαν
κατέστην, μὴ διὰ τὴν ἀπειρίαν ἀναξίως καὶ ἀδυνάτως

νπὲρ τοῦ ἀδελφοῦ καὶ ἐμαυτοῦ τὴν κατηγορίαν ποιήσομαι· ὅμως δὲ πειρύσσομαι ὑμᾶς ἐξ ἀρχῆς ως ἂν δύνωμαι δι' ἐλαχίστων διδάξαι.

Ούμὸς πατὴρ Κέφαλος ἐπείσθη μὲν ὑπὸ Περικλέους 4 εἰς ταύτην τὴν γῆν ἀφικέσθαι, ἔτη δὲ τριάκοντα ὥκησε, καὶ οὐδεὶν πώποτε οὔτε ἡμεῖς οὔτε ἐκεῖνος δίκην οὔτε ἐδικασύμεθα οὔτε ἐφύγομεν, ἀλλ' οὔτως ὡκοῦμεν δημοκρατούμενοι ὥστε μήτε εἰς τοὺς ἄλλους ἐξαμαρτάνειν μήτε ὑπὸ τῶν ἄλλων ἀδικεῖσθαι. ἐπειδὴ δ' οἱ τριάκοντα πονηροὶ [μὲν] καὶ συκοφάνται ὅντες εἰς τὴν ἀρχὴν κατέστησαν, φύσκοντες χρῆναι τῶν ἀδίκων καθαρὸν ποιῆσαι τὴν πόλιν καὶ τοὺς λοιποὺς πολίτας ἐπ' ἀρετὴν καὶ δικαιοσύνην τραπέσθαι, τοιαῦτα λέγοντες οὐ τοιαῦτα ποιεῦν ἐτόλμων, ως ἐγὼ περὶ τῶν ἐμαυτοῦ πρῶτον εἰπὼν καὶ περὶ τῶν ὑμετέρων ἀναμνῆσαι πειρύσσομαι. Θέογνις γὰρ καὶ Πείσων ἐλεγον ἐν τοῖς τριάκοντα περὶ τῶν μετοίκων, ως εἰέν τινες τῇ πολιτείᾳ ἀχθόμενοι· καλλίστην οὖν εἶναι πρόφασιν τιμωρεῖσθαι μὲν δοκεῖν, τῷ δὲ ἔργῳ χρηματίζεσθαι· πάντως δὲ τὴν μὲν πόλιν πένεσθαι, τὴν ἀρχὴν δὲ δεῖσθαι χρημάτων. καὶ τοὺς ἀκούοντας οὐ χαλεπῶς ἐπειθον· 7 ἀποκτινύναι μὲν γὰρ ἀνθρώπους περὶ οὐδενὸς ἥγοῦντο, λαμβάνειν δὲ χρήματα περὶ πολλοῦ ἐποιοῦντο. ἔδοξεν οὖν αὐτοῖς δέκα συλλαβεῖν, τούτων δὲ δύο πένητας, ἵνα αὐτοῖς ἥ πρὸς τοὺς ἄλλους ἀπολογία, ως οὐ χρημάτων ἔνεκα ταῦτα πέπρακται, ἀλλὰ συμφέροντα τῇ πολιτείᾳ γεγένηται, ὥσπερ τι τῶν ἄλλων εὐλόγως πεποιηκότες. διαλαβόντες δὲ τὰς οἰκίας ἐβάδιζον· καὶ ἐμὲ 8

μὲν ξένους ἔστιωντα κατέλαβον, οὓς ἐξελάσαντες Πείσωνί με παραδιδόασιν· οἱ δὲ ἄλλοι εἰς τὸ ἐργαστήριον ἐλθόντες τὰ ἀνδράποδα ἀπεγράφοντο. ἐγὼ δὲ Πείσωνα μὲν ἡρώτων εἰς βούλοιτό με σῶσαι χρήματα λαβών· ὁ δὲ ἔφασκεν, εἰς πολλὰ εἴη. εἰπον οὖν ὅτι τάλαντον ἀργυρίου ἔτοιμος εἴην δοῦναι· ὁ δὲ ὡμολόγησε ταῦτα ποιήσειν. ἡπιστάμην μὲν οὖν ὅτι οὔτε θεοὺς οὔτ' ἀνθρώπους νομίζει, δῆμος δὲ ἐκ τῶν παρόντων ἐδόκει μοι ἀναγκαιότατον εἶναι πίστιν παρ' αὐτοῦ λαβεῖν. ἐπειδὴ δὲ ὡμοσεν ἐξώλειαν ἔαυτῷ καὶ τοῖς παισὶν ἐπαρώμενος, λαβὼν τὸ τάλαντόν με σώσειν, εἰσελθὼν εἰς τὸ δωμάτιον τὴν κιβωτὸν ἀνοίγνυμι. Πείσων δὲ αἰσθόμενος εἰσέρχεται, καὶ ἵδων τὰ ἐνόντα καλεῖ τῶν ὑπηρετῶν δύο, καὶ τὰ ἐν τῇ κιβωτῷ λαβεῖν ἐκέλευσεν. ἐπεὶ δὲ οὐχ ὅσον ὡμολόγητο εἶχεν, ὃ ἄνδρες δικασταί, ἀλλὰ τρία τάλαντα ἀργυρίου καὶ τετρακοσίους κυζικηνοὺς καὶ ἑκατὸν δαρεικοὺς καὶ φιάλας ἀργυρᾶς τέτταρας, ἐδεόμην αὐτοῦ ἐφόδιά μοι δοῦναι, ὁ δὲ ἀγαπήσειν με ἔφασκεν, εἰς τὸ σῶμα σώσω. ἐξιούσι δὲ ἐμοὶ καὶ Πείσωνι ἐπιτυγχάνει Μηλόβιός τε καὶ Μηνησιθείδης ἐκ τοῦ ἐργαστηρίου ἀπιόντες, καὶ καταλαμβάνουσι πρὸς αὐταῖς ταῖς θύραις, καὶ ἐρωτῶσιν ὅποι βαδίζοιμεν· ὁ δὲ ἔφασκεν εἰς τὰδελφοῦ τοῦ ἐμοῦ, ἵνα καὶ τὰ ἐν ἐκείνῃ τῇ οἰκίᾳ σκέψηται. ἐκείνον μὲν οὖν ἐκέλευνον βαδίζειν, ἐμὲ δὲ μεθ' αὐτῶν ἀκολουθεῖν εἰς Δαμνίππου. Πείσων δὲ προσελθὼν σιγάν μοι παρεκελεύετο καὶ θαρρεῖν, ως ἥξων ἐκεῖσε. καταλαμβάνομεν δὲ αὐτόθι Θέογνιν ἐτέρους φυλάττοντα· ὡς

παραδόντες ἐμὲ πάλιν ὥχοντο. ἐν τοιούτῳ δ' ὅντι μοι κινδυνεύειν ἐδόκει, ὡς τοῦ γε ἀποθανεῖν ὑπάρχοντος ἥδη. καλέσας δὲ Δάμνιππον λέγω πρὸς αὐτὸν τάδε, 14 “ἐπιτήδειος μέν μοι τυγχάνεις ὡν, ἥκω δ' εἰς τὴν σὴν οἰκίαν, ἀδικῶ δ' οὐδέν, χρημάτων δ' ἔνεκα ἀπόλλυμα. σὺ οὖν ταῦτα πάσχοντί μοι πρόθυμον παράσχου τὴν σεαυτοῦ δύναμιν εἰς τὴν ἐμὴν σωτηρίαν.” ὁ δ' ὑπέσχετο ταῦτα ποιήσειν. ἐδόκει δ' αὐτῷ βέλτιον εἶναι πρὸς Θέογνιν μησθῆναι. ἥγειτο γὰρ ἅπαν ποιήσειν αὐτόν, εἴ τις ἀργύριον διδοίη. ἐκείνου δὲ διαλεγομένου 15 Θεόγνιδι (ἔμπειρος γὰρ ὃν ἐτύγχανον τῆς οἰκίας, καὶ ἥδειν ὅτι ἀμφίθυρος εἴη) ἐδόκει μοι ταύτη πειρᾶσθαι σωθῆναι, ἐνθυμουμένῳ ὅτι, ἐὰν μὲν λάθω, σωθήσομαι, ἐὰν δὲ ληφθῶ, ἥγούμην μέν, εἰ Θέογνις εἴη πεπει- σμένος ὑπὸ τοῦ Δαμνίππου χρήματα λαβεῖν, οὐδὲν ἥττον ἀφεθήσεσθαι, εἰ δὲ μή, ὁμοίως ἀποθανεῖσθαι. ταῦτα διανοθεὶς ἔφευγον, ἐκείνων ἐπὶ τῇ αὐλείῳ θύρᾳ 16 τὴν φυλακὴν ποιουμένων· τριῶν δὲ θυρῶν οὐσῶν, ἃς ἔδει με διελθεῖν, ἅπασαι ἀνεῳγμέναι ἔτυχον. ἀφικό- μενος δὲ εἰς Ἀρχένεω τοῦ ναυκλήρου ἐκεῖνον πέμπω εἰς ἄστυ, πευσόμενον περὶ τοῦ ἀδελφοῦ. ἥκων δὲ ἔλε- γεν ὅτι Ἐρατοσθένης αὐτὸν ἐν τῇ ὁδῷ λαβὼν εἰς τὸ δεσμωτήριον ἀπαγάγοι. καὶ ἐγὼ τοιαῦτα πεπυσμένος 17 τῆς ἐπιούσης νυκτὸς διέπλευσα Μέγαράδε. Πολε- μάρχῳ δὲ παρήγγειλαν οἱ τριάκοντα τὸ ὑπ' ἐκείνων εἰθισμένον παράγγελμα, πίνειν κώνειον, πρὶν τὴν αἰ- τίαν εἰπεῖν δι' ἥντινα ἔμελλεν ἀποθανεῖσθαι. οὕτω πολλοῦ ἐδέησε κριθῆναι καὶ ἀπολογήσασθαι. καὶ 18

ἐπειδὴ ἀπεφέρετο ἐκ τοῦ δεσμωτηρίου τεθνεώς, τριῶν
 ιμᾶν οἰκιῶν οὐσῶν [ἐξ] οὐδεμιᾶς εἴασαν ἐξενεχθῆναι,
 ἀλλὰ κλεισίον μισθωσάμενοι προύθεντο αὐτόν. καὶ
 πολλῶν ὄντων ἴματίων αἰτοῦσιν οὐδὲν ἔδοσαν εἰς τὴν
 ταφήν, ἀλλὰ τῶν φίλων ὁ μὲν ἴμάτιον ὁ δὲ προσκεφά-
 λαιον ὁ δὲ ὅ τι ἔκαστος ἔτυχεν ἔδωκεν εἰς τὴν ἐκείνου
 19 ταφήν. καὶ ἔχοντες μὲν ἐπτακοσίας ἀσπίδας τῶν ιμε-
 τέρων, ἔχοντες δὲ ἀργύριον καὶ χρυσίον τοσοῦτον, χαλ-
 κὸν δὲ καὶ κόσμον καὶ ἔπιπλα καὶ ἴματια γυναικεία
 ὅσα οὐδεπώποτε ὤντο κτήσασθαι, καὶ ἀνδράποδα εἴ-
 κοσι καὶ ἑκατόν, ὃν τὰ μὲν βέλτιστα ἔλαβον, τὰ δὲ
 λοιπὰ εἰς τὸ δημόσιον ἀπέδοσαν, εἰς τοσαύτην ἀπλη-
 στίαν καὶ αἰσχροκέρδειαν ἀφίκοντο καὶ τοῦ τρόπου τοῦ
 αὐτῶν ἀπόδειξιν ἐποιήσαντο. τῆς γὰρ Πολεμάρχου
 γυναικὸς χρυσοῦς ἐλικτῆρας, οὓς ἔχουσα ἐτύγχανεν,
 ὅτε τὸ πρῶτον ἥλθεν εἰς τὴν οἰκίαν Μηλόβιος, ἐκ τῶν
 20 ὄτων ἐξείλετο. καὶ οὐδὲ κατὰ τὸ ἐλάχιστον μέρος τῆς
 οὐσίας ἐλέου παρ' αὐτῶν ἔτυγχάνομεν. ἀλλ' οὕτως εἰς
 ιμᾶς διὰ τὰ χρήματα ἐξημάρτανον, ὥσπερ οὐδὲ ἐτε-
 ροι μεγάλων ἀδικημάτων ὄργὴν ἔχοντες, οὐ τούτων ἀξί-
 ους γε ὄντας τῇ πόλει, ἀλλὰ πάσας τὰς χορηγίας χορη-
 γήσαντας, πολλὰς δ' εἰσφορὰς εἰσενεγκόντας, κοσμίους
 δ' ιμᾶς αὐτοὺς παρέχοντας καὶ πᾶν τὸ προστατό-
 μενον ποιοῦντας, ἐχθρὸν δ' οὐδένα κεκτημένους, πολλοὺς
 δ' Ἀθηναίων ἐκ τῶν πολεμίων λυσαμένους τοιούτων
 ἡξίωσαν οὐχ ὄμοίως μετοικοῦντας ὥσπερ αὐτοὶ ἐπελι-
 21 τεύοντο. οὗτοι γὰρ πολλοὺς μὲν τῶν πολιτῶν εἰς τοὺς
 πολεμίους ἐξήλασαν, πολλοὺς δ' ἀδίκως ἀποκτείναντες

ἀτάφους ἐποίησαν, πολλοὺς δ' ἐπιτίμους ὅντας ἀτίμους [τῆς πόλεως] κατέστησαν, πολλῶν δὲ θυγατέρας μελλούσας ἐκδίδοσθαι ἐκώλυσαν. Καὶ εἰς τοσοῦτόν εἰσι ²² τόλμης ἀφιγμένοι ὥσθ' ἥκουσιν ἀπολογησόμενοι, καὶ λέγουσιν ώς οὐδὲν κακὸν οὐδ' αἰσχρὸν εἰργασμένοι εἰσίν. ἐγὼ δ' ἐβουλόμην ἀν αὐτοὺς ἀληθῆ λέγειν· μετῆν γὰρ ἀν καὶ ἐμοὶ τούτου τάγαθοῦ οὐκ ἐλάχιστον μέρος. νῦν δὲ οὔτε πρὸς τὴν πόλιν αὐτοῖς τοιαῦτα ²³ ὑπάρχει οὔτε πρὸς ἐμέ· τὸν ἀδελφὸν γάρ μου, ὥσπερ καὶ πρότερον εἶπον, Ἐρατοσθένης ἀπέκτεινεν, οὔτε αὐτὸς ἴδιᾳ ἀδικούμενος οὔτε εἰς τὴν πόλιν ὄρῶν ἔξαμαρτάνοντα, ἀλλὰ τῇ ἑαυτοῦ παρανομίᾳ προθύμως ἔξυπηρετῶν. ἀναβιβασάμενος δ' αὐτὸν βούλομαι ἐρέσθαι, ὃ ²⁴ ἄνδρες δικασταί. τοιαῦτην γὰρ γνώμην ἔχω· ἐπὶ μὲν τῇ τούτου ὠφελείᾳ καὶ πρὸς ἔτερον περὶ τούτου διαλέγεσθαι ἀσεβὲς εἶναι νομίζω, ἐπὶ δὲ τῇ τούτου βλάβῃ καὶ πρὸς αὐτὸν τοῦτον δσιον καὶ εὐσεβές. ἀνάβηθι οὖν μοι καὶ ἀπόκριναι, δ τι ἀν σε ἐρωτῶ.

²⁵ 'Απίγαγες Πολέμαρχον ἦ οῦ; Τὰ ὑπὸ τῶν ἀρχόντων προσταχθέντα δεδιὰς ἐποίουν. ³ Ησθα δ' ἐν τῷ βούλευτηρίῳ, ὅτε οἱ λόγοι ἐγίγνοντο περὶ ήμῶν; ³ Ην. Πότερον συνηγόρευες τοῖς κελεύοντιν ἀποκτεῖναι ἦ ἀντέλεγες; ⁴ Αντέλεγον. ⁵ Ινα ἀποθάνωμεν ἦ μὴ ἀποθάνωμεν; ⁶ Ινα μὴ ἀποθάνητε. ⁷ Ηγούμενος ήμᾶς ἄδικα πάσχειν ἦ δίκαια; ⁸ Αδικα.

²⁶ Εἰτ', ὃ σχετλιώτατε πάντων, ἀντέλεγες μὲν ἵνα σώσειας, συνελάμβανες δὲ ἵνα ἀποκτείνειας; καὶ ὅτε μὲν τὸ πλῆθος ἦν ὑμῶν κύριον τῆς σωτηρίας τῆς ἡμετέρας,

ἀντιλέγειν φήσ τοῖς βουλομένοις ἡμᾶς ἀπολέσαι, ἐπειδὴ δὲ ἐπὶ σοὶ μόνῳ ἐγένετο καὶ σῶσαι Πολέμαρχον καὶ μή, εἰς τὸ δεσμωτήριον ἀπήγαγες; εἰθ' ὅτι μέν, ὡς φήσ, ἀντειπὼν οὐδὲν ὠφέλησας, ἀξιοῖς χρηστὸς νομίζεσθαι, ὅτι δὲ συλλαβὼν ἀπέκτεινας, οὐκ οὕει ἐμοὶ καὶ τουτοιςὶ [δεῖν] δοῦναι δίκην;

27 Καὶ μὴν οὐδὲ τοῦτο εἰκὸς αὐτῷ πιστεύειν, εἴπερ ἀληθῆ λέγει φάσκων ἀντειπεῖν, ὡς αὐτῷ προσετάχθη. οὐ γὰρ δή που ἐν τοῖς μετοίκοις πίστιν παρ' αὐτοῦ ἐλάμβανον. ἐπειτα τῷ ἥττον εἰκὸς ἦν προσταχθῆναι ἢ ὅστις ἀντειπών γε ἐτύγχανε καὶ γνώμην ἀποδεδειγμένος; τίνα γὰρ εἰκὸς ἦν ἥττον ταῦτα ὑπηρετῆσαι ἢ τὸν ἀντειπόντα 28 οὓς ἐκεῖνοι ἐβούλοντο πραχθῆναι; "Ετι δὲ τοῖς μὲν ἄλλοις Ἀθηναίοις ίκανή μοι δοκεῖ πρόφασις εἶναι τῶν γεγενημένων εἰς τοὺς τριάκοντα ἀναφέρειν τὴν αἰτίαν· αὐτοὺς δὲ τοὺς τριάκοντα, ἀν εἰς σφᾶς αὐτοὺς ἀναφέρωσι, 29 πῶς ὑμᾶς εἰκὸς ἀποδέχεσθαι; εἰ μὲν γάρ τις ἦν ἐν τῇ πόλει ἀρχὴ ἵσχυροτέρα αὐτῆς, ὑφ' ἣς αὐτῷ προσετάτετο παρὰ τὸ δίκαιον ἀνθρώπους ἀπολλύναι, ἵσως ἀν εἰκότως αὐτῷ συγγνώμην εἴχετε· νῦν δὲ παρὰ τοῦ ποτε καὶ λήψεσθε δίκην, εἴπερ ἔξεσται τοῖς τριάκοντα λέγειν 30 ὅτι τὰ ὑπὸ τῶν τριάκοντα προσταχθέντα ἐποίουν; Καὶ μὲν δὴ οὐκ ἐν τῇ οἰκίᾳ ἀλλ' ἐν τῇ ὁδῷ, σώζειν αὐτὸν κατὰ τὰ τούτοις ἐψηφισμένα παρόν, συλλαβὼν ἀπήγαγεν. ὑμεῖς δὲ πᾶσιν ὄργίζεσθε, ὅσοι εἰς τὰς οἰκίας ἥλθον τὰς ὑμετέρας ζήτησιν ποιούμενοι ἢ ὑμῶν ἢ τῶν ὑμετέρων 31 τινός. καίτοι εἰ χρὴ τοῖς διὰ τὴν ἑαυτῶν σωτηρίαν ἐτέρους ἀπολέσασι συγγνώμην ἔχειν, ἐκείνοις ἀν δικαι-

ότερον ἔχοιτε· κίνδυνος γὰρ ἦν πεμφθεῖσι μὴ ἐλθεῖν καὶ καταλαβοῦσιν ἔξαρνοις γενέσθαι. τῷ δὲ Ἐρατοσθένει ἔξῆν εἰπεῖν ὅτι οὐκ ἀπίντησεν, ἔπειτα ὅτι οὐκ εἶδεν· ταῦτα γὰρ οὔτ' ἔλεγχον οὔτε βάσιν οὐχεν, ὡστε μηδ' ὑπὸ τῶν ἔχθρῶν βουλομένων οἶον τ' εἶναι ἔξελεγχθῆναι. χρῆν δέ σε, ὡς Ἐρατόσθενες, εἴπερ ἡσθα ³² χρηστός, πολὺ μᾶλλον τοῖς μέλλουσιν ἀδίκως ἀποθανεῖσθαι μηνυτὴν γενέσθαι ἢ τοὺς ἀδίκως ἀπολουμένους συλλαμβάνειν. νῦν δέ σου τὰ ἔργα φανερὰ γεγένηται οὐχ ὡς ἀνιωμένου ἀλλ' ὡς ἡδομένου τοῖς γιγνομένοις, ὡστε τούσδε ἐκ τῶν ἔργων χρὴ μᾶλλον ἢ ἐκ τῶν λόγων ³³ τὴν ψῆφον φέρειν, ἀλλ' ἵσασι γεγενημένα τῶν τότε λεγομένων τεκμήρια λαμβάνοντας, ἐπειδὴ μάρτυρας περὶ αὐτῶν οὐχ οἶον τε παρασχέσθαι. οὐ γὰρ μόνον ἡμῖν παρεῖναι οὐκ ἔξῆν, ἀλλ' οὐδὲ παρ' αὐτοῖς εἶναι, ὡστ' ἐπὶ τούτοις ἐστὶ πάντα τὰ κακὰ εἰργασμένοις τὴν πόλιν πάντα τάγαθὰ περὶ αὐτῶν λέγειν. τοῦτο μέντοι οὐ ³⁴ φεύγω, ἀλλ' ὁμολογῶ σοι, εἰ βούλει, ἀντειπεῖν. θαυμάζω δὲ τί ἄν ποτε ἐποίησας συνειπών, ὅποτε ἀντεπεῖν φάσκων ἀπέκτεινας Πολέμαρχον. φέρε δή, τί ἄν εἰ καὶ ἀδελφοὶ ὄντες ἐτυγχάνετε αὐτοῦ ἢ καὶ νιεῖς; ἀπεψηφίζεσθε; δεῖ γάρ, ὡς ἄνδρες δικασταί, Ἐρατοσθένην δυοῖν θάτερον ἀποδεῖξαι, ἢ ὡς οὐκ ἀπήγαγεν αὐτόν, ἢ ὡς δικαίως τοῦτ' ἔπραξεν. οὗτος δὲ ὡμολόγηκεν ἀδίκως συλλαβεῖν, ὡστε ῥᾳδίαν ὑμῖν τὴν διαψήφισιν περὶ αὐτοῦ πεποίηκε. Καὶ μὲν δὴ πολλοὶ καὶ τῶν ἀστῶν ³⁵ καὶ τῶν ξένων ἥκουσιν εἰσόμενοι τίνα γνώμην περὶ τούτων ἔξετε. ὃν οἱ μὲν ὑμέτεροι ὄντες πολῦται μαθόντες

ἀπίασιν ὅτι ἡ δίκην δώσουσιν ὃν ἀν ἔξαμάρτωσιν, ἡ πράξαντες μὲν ὃν ἐφίενται τύραννοι τῆς πόλεως ἔσονται, δυστυχήσαντες δὲ τὸ ἵσον ὑμῖν ἔξουσιν· ὅσοι δὲ ἔνοι ἐπιδημούσιν, εἴσονται πότερον ἀδίκως τοὺς τριάκοντα ἐκκηρύττουσιν ἐκ τῶν πόλεων ἡ δικαίως. εἰ γὰρ δὴ αὐτοὶ οἱ κακῶς πεπονθότες λαβόντες ἀφήσουσιν, ἡ που σφᾶς αὐτοὺς ἰγήσονται περιέργους ὑπὲρ ὑμῶν κηδομένους. οὐκ ὅμην δεινὸν εἰ τοὺς μὲν στρατηγούς, δὲ ἐνίκων ναυμαχοῦντες, ὅτε διὰ χειμῶνα οὐχ οἷοί τ' ἔφασαν εἶναι τοὺς ἐκ τῆς θαλάττης ἀνελέσθαι, θανάτῳ ἔξημιώσατε, ἰγούμενοι χρῆναι τῇ τῶν τεθνεώτων ἀρετῇ παρ' ἐκείνων δίκην λαβεῖν, τούτους δέ, δὲ ἰδιῶται μὲν ὅντες καθ' ὅσον ἐδύναντο ἐποίησαν ἰττηθῆναι ναυμαχοῦντας, ἐπειδὴ δὲ εἰς τὴν ἀρχὴν κατέστησαν, ὁμολογοῦσιν ἐκόντες πολλοὺς τῶν πολιτῶν ἀκρίτους ἀποκτιννύναι, οὐκ ἄρα χρὴ αὐτοὺς καὶ τοὺς παιδας ὑφ' ὑμῶν ταῖς ἐσχάταις ξημίαις κολάζεσθαι;

37 Ἐγὼ τοίνυν, ὡς ἄνδρες δικασταί, ἡξίουν ίκανὰ εἶναι τὰ κατηγορημένα· μέχρι γὰρ τούτου νομίζω χρῆναι κατηγορεῖν ἔως ἀν θανάτου δόξῃ τῷ φεύγοντι ἄξια εἰργάσθαι· ταύτην γὰρ ἐσχάτην δίκην δυνάμεθα παρ' αὐτῶν λαβεῖν. ὥστ' οὐκ οἶδ' ὅ τι δεῖ πολλὰ κατηγορεῖν τοιούτων ἀνδρῶν, εἰ οὐδὲν ὑπὲρ ἐνὸς ἐκάστου τῶν πεπραγμένων δὶς ἀποθανόντες δίκην δοῦναι δύναιντ' ἄν. 38 οὐ γὰρ δὴ οὐδὲ τοῦτο αὐτῷ προσήκει ποιῆσαι, ὅπερ ἐν τῇδε τῇ πόλει εἰθισμένον ἐστίν, πρὸς μὲν τὰ κατηγορημένα μηδὲν ἀπολογεῖσθαι, περὶ δὲ σφῶν αὐτῶν ἔτερα λέγοντες ἐνίστε ἔξαπατῶσιν, ὑμῖν ἀποδεικνύντες ως στρα-

τιώται ἀγαθοί εἰσιν, ἢ ὡς πολλὰς τῶν πολεμίων ναῦς ἔλαβον τριηραρχίσαντες, ἢ πόλεις πολεμίας οὕσας φιλίας ἐποίησαν· ἐπεὶ κελεύετε αὐτὸν ἀποδεῖξαι ὅπου τοσούτους τῶν πολεμίων ἀπέκτειναν ὅσους τῶν πολιτῶν, ἢ ναῦς ὅπου τοσαύτας ἔλαβον ὅσας αὐτοὶ παρέδοσαν, ἢ πόλιν ἥντινα τοιαύτην προσεκτήσαντο οἵαν τὴν ὑμετέραν κατεδουλώσαντο. ἀλλὰ γὰρ ὅπλα τῶν πολεμίων ἐσκύλευσαν τοσαῦτα ὅσα περ ὑμῶν ἀφείλοντο; ἀλλὰ τείχη τοιαῦτα εἰλον οἷα τῆς ἑαυτῶν πατρίδος κατέσκαψαν; οἵτινες καὶ τὰ περὶ τὴν Ἀττικὴν φρούρια καθεῖλον, καὶ ὑμῖν ἐδήλωσαν ὅτι οὐδὲ τὸν Πειραιᾶ Λακεδαιμονίων προσταττόντων περιεῖλον, ἀλλ' ὅτι ἑαυτοῖς τὴν ἀρχὴν οὕτω βεβαιοτέραν ἐνόμιζον εἶναι.

Πολλάκις οὖν ἐθαύμασα τῆς τόλμης τῶν λεγόντων ὅτι αὐτοῦ, πλὴν ὅταν ἐνθυμηθῶ ὅτι τῶν αὐτῶν ἐστιν αὐτούς τε πάντα τὰ κακὰ ἐργάζεσθαι καὶ τοὺς τοιούτους ἐπαινεῖν. οὐ γὰρ νῦν πρῶτον τῷ ὑμετέρῳ πλήθει τὰ ἐναντία ἐπραξεν, ἀλλὰ καὶ ἐπὶ τῶν τετρακοσίων ἐν τῷ στρατοπέδῳ ὀλιγαρχίαν καθιστὰς ἐφευγεν ἐξ Ἑλλησπόντου τριήραρχος καταλιπὼν τὴν ναῦν, μετὰ Ἰατροκλέους καὶ ἑτέρων, ὃν τὰ δυόματα οὐδὲν δέομαι λέγειν. ἀφικόμενος δὲ δεῦρο τάνατία τοῖς βουλομένοις δημοκρατίαν εἶναι ἐπραττεν. καὶ τούτων μάρτυρας ὑμῖν παρέξομαι.

ΜΑΡΤΥΡΕΣ.

Τὸν μὲν τοίνυν μεταξὺ βίον αὐτοῦ παρήσω· ἐπειδὴ δὲ ἡ ναυμαχία καὶ ἡ συμφορὰ τῇ πόλει ἐγένετο, δημο-

κρατίας ἔτι οὔσης, ὅθεν τῆς στάσεως ἥρξαν, πέντε ἄνδρες ἔφοροι κατέστησαν ὑπὸ τῶν καλουμένων ἑταίρων, συναγωγῆς μὲν τῶν πολιτῶν, ἀρχοντες δὲ τῶν συνωμοτῶν, ἐναντία δὲ τῷ ὑμετέρῳ πλήθει πράττοντες. ὡν
 44 Ἐρατοσθένης καὶ Κριτίας ἥσαν. οὗτοι δὲ φυλάρχους τε ἐπὶ τὰς φυλακὰς κατέστησαν, καὶ ὅ τι δέοι χειροτενεῖσθαι καὶ οὔστινας χρείη ἄρχειν παρήγγελλον, καὶ εἴ τι ἄλλο πράττειν βούλοιντο, κύριοι ἥσαν. οὕτως οὐχ ὑπὸ τῶν πολεμίων μόνον ἀλλὰ καὶ ὑπὸ τούτων πολιτῶν δύντων ἐπεβούλεύεσθε ὅπως μήτ' ἀγαθὸν μηδὲν ψηφιεῖσθε
 45 πολλῶν τε ἐνδεεῖς ἔσεσθε. τοῦτο γὰρ [καὶ] ἡπίσταντο, δτι ἄλλως μὲν οὐχ οἵοι τε ἔσονται περιγενέσθαι, κακῶς δὲ πραττόντων δυνήσονται. καὶ ὑμᾶς ἡγοῦντο τῶν παρόντων κακῶν ἐπιθυμοῦντας ἀπαλλαγῆναι περὶ τῶν μελλόντων οὐκ ἐνθυμήσεσθαι. ὡς τοίνυν τῶν ἐφόρων ἐγένετο,
 μάρτυρας ὑμῖν παρέξομαι, οὐ τοὺς τότε συμπράττοντας (οὐ γὰρ ἀν δυναίμην), ἀλλὰ τοὺς αὐτοῦ Ἐρατοσθένους
 46 ἀκούσαντας. καίτοι εὶ ἐσωφρόνουν κατεμαρτύρουν ἀν αὐτῶν, καὶ τοὺς διδασκάλους τῶν σφετέρων ἀμαρτημάτων σφόδρ' ἀν ἐκόλαξον, καὶ τοὺς ὄρκους, εὶ ἐσωφρόνουν, οὐκ ἀν ἐπὶ μὲν τοῖς τῶν πολιτῶν κακοῖς πιστοὺς ἐνόμιζον, ἐπὶ δὲ τοῖς τῆς πόλεως ἀγαθοῖς ῥαδίως παρέβαινον. πρὸς μὲν οὖν τούτους τοσαῦτα λέγω, τοὺς δὲ μάρτυράς μοι κάλει. Καὶ ὑμεῖς ἀνάβητε.

ΜΑΡΤΥΡΕΣ.

48 Τῶν μὲν μαρτύρων ἀκηκόατε. τὸ δὲ τελευταῖον εἰς τὴν ἀρχὴν καταστὰς ἀγαθοῦ μὲν οὐδενὸς μετέσχεν,

ἄλλων δὲ πολλῶν. καίτοι εἰπερ ἦν ἀνὴρ ἀγαθός, ἔχρην
[ἄν] πρῶτον μὲν μὴ παρανόμως ἄρχειν, ἔπειτα τῇ βουλῇ
μηνυτὴν γίγνεσθαι περὶ τῶν εἰσαγγελιῶν ἀπασῶν, ὅτι
ψευδεῖς εἰεν, καὶ Βάτραχος καὶ Αἰσχυλίδης οὐ τάληθῆ
μηνύουσιν, ἀλλὰ τὰ ὑπὸ τῶν τριάκοντα πλασθέντα
εἰσαγγέλλουσι, συγκείμενα ἐπὶ τῇ τῶν πολιτῶν βλάβῃ.
καὶ μὲν δή, ὃ ἄνδρες δικασταί, ὅσοι κακόνοι ἦσαν τῷ 49
ὑμετέρῳ πληγθει, οὐδὲν ἔλαττον εἶχον σιωπῶντες. ἔτε-
ροι γὰρ ἦσαν οἱ λέγοντες καὶ πράττοντες ὃν οὐχ οἶόν
τ’ ἦν μείζω κακὰ γενέσθαι τῇ πόλει. ὅπόσοι δ’ εὖνοί
φασιν εἶναι, πῶς οὐκ ἐνταῦθα ἔδειξαν, αὐτοί τε τὰ βέλ-
τιστα λέγοντες καὶ τοὺς ἔξαμαρτάνοντας ἀποτρέποντες;

"Ισως δ' ἀν ἔχοι εἰπεῖν ὅτι ἐδεδοίκει, καὶ ὑμῶν τοῦτο 50
ἐνίοις ἱκανὸν ἔσται. ὅπως τοίνυν μὴ φανήσεται ἐν τοῖς
λόγοις τοῖς τριάκοντα ἐναντιούμενος. εἰ δὲ μή, ἐνταυθοῦ
δῆλος ἔσται ὅτι ἐκεῖνά τε αὐτῷ ἥρεσκε, καὶ τοσοῦτον
ἐδύνατο ὥστε ἐναντιούμενος μηδὲν κακὸν παθεῖν ὑπ’ αὐ-
τῶν. χρῆν δ' αὐτὸν ὑπὲρ τῆς ὑμετέρας σωτηρίας ταύ-
την τὴν προθυμίαν ἔχειν, ἀλλὰ μὴ ὑπὲρ Θηραμένους, ὃς
εἰς ὑμᾶς πολλὰ ἔξήμαρτεν. ἀλλ' οὗτος τὴν μὲν πόλιν 51
ἔχθρὰν ἐνόμιζεν εἶναι, τοὺς δ' ὑμετέρους ἔχθροὺς φίλους,
ώς ἀμφότερα ταῦτα ἐγὼ πολλοῖς τεκμηρίοις παραστήσω,
καὶ τὰς πρὸς ἀλλήλους διαφορὰς οὐχ ὑπὲρ ὑμῶν ἀλλ'
ὑπὲρ ἐαυτῶν γιγνομένας, ὅπότεροι [μόνοι] ταῦτα πρά-
ξουσι καὶ τῆς πόλεως ἄρξουσιν. καὶ γὰρ εἰ ὑπὲρ τῶν 52
ἀδικουμένων ἔστασίαζον, ποῦ κάλλιον [ἄν] ἦν ἄνδρὶ
ἄρχοντι, ἢ Θρασυβούλου Φυλὴν κατειληφότος, τότ'
ἐπιδείξασθαι τὴν αὐτοῦ εὔνοιαν; ὁ δ' ἀντὶ τοῦ ἐπαγ-

γείλασθαι τι ἡ πρᾶξαι ἀγαθὸν πρὸς τοὺς ἐπὶ Φυλῆ, ἐλθὼν μετὰ τῶν συναρχόντων εἰς Σαλαμῖνα καὶ Ἐλευσῖνάδε τριακοσίους τῶν πολιτῶν ἀπίγγαγεν εἰς τὸ δεσμωτήριον, καὶ μιᾶς ψίφῳ αὐτῶν ἀπάντων θάνατον κατεψη-
 53 φίσατο. ἐπειδὴ δὲ εἰς τὸν Πειραιᾶ ἥλθομεν καὶ αἱ ταραχαὶ γεγενημέναι ἥσαν καὶ περὶ τῶν διαλλαγῶν οἱ λόγοι ἐγίγνοντο, πολλὰς ἐκάτεροι ἐλπίδας εἴχομεν πρὸς ἄλληλους ἔσεσθαι ὡς ἀμφότεροι ἐδείξαμεν. οἱ μὲν γὰρ ἐκ Πειραιῶς κρείττους ὅντες εἴασαν αὐτοὺς ἀπελθεῖν.
 54 οἱ δὲ εἰς τὸ ἄστυ ἐλθόντες τοὺς μὲν τριάκοντα ἔξεβαλον πλὴν Φείδωνος καὶ Ἐρατοσθένους, ἄρχοντας δὲ τοὺς ἐκείνους ἔχθιστους εἴλοντο, ἥγούμενοι δικαίως ἀν υπὸ τῶν αὐτῶν τούς τε τριάκοντα μισεῖσθαι καὶ τοὺς ἐν Πειραιεῖ
 55 φιλεῖσθαι. τούτων τοίνυν Φείδων [ό τῶν τριάκοντα γενόμενος] καὶ Ἰπποκλῆς καὶ Ἐπιχάρης ὁ Λαμπτρεὺς καὶ ἔτεροι οἱ δοκοῦντες εἶναι ἐναντιώτατοι Χαρικλεῖ καὶ Κριτίᾳ καὶ τῇ ἐκείνων ἐταιρείᾳ, ἐπειδὴ αὐτοὶ εἰς τὴν ἀρχὴν κατέστησαν, πολὺ μείζω στάσιν καὶ πόλεμον ἐπὶ τοὺς ἐν
 56 Πειραιεῖ τοῖς ἐξ ἄστεος ἐποίησαν· οἷς καὶ φανερῶς ἐπεδείξαντο ὅτι οὐχ ύπὲρ τῶν ἐν Πειραιεῖ οὐδ' ύπὲρ τῶν ἀδίκως ἀπολλυμένων ἐστασίαζον, οὐδ' οἱ τεθνεῶτες αὐτοὺς ἐλύπουν, οὐδ' οἱ μέλλοντες ἀποθανεῖσθαι, ἀλλ' οἱ
 57 μείζον δυνάμενοι καὶ θάττον πλουτοῦντες. λαβόντες γὰρ τὰς ἀρχὰς καὶ τὴν πόλιν ἀμφοτέροις ἐπολέμουν, τοῖς τε τριάκοντα πάντα κακὰ εἰργασμένοις καὶ υἱῶν πάντα κακὰ πεπονθόσι. καίτοι τοῦτο πᾶσι δῆλον ἦν, ὅτι εἰ μὲν ἐκεῖνοι δικαίως ἔφευγον, υἱῶν δὲ δικαίως, εἰ δὲ υἱῶν δικαίως, οἱ τριάκοντα ἀδίκως· οὐ γὰρ δὴ ἐτέρων

ἔργων αἰτίαν λαβόντες ἐκ τῆς πόλεως ἐξέπεσον, ἀλλὰ τούτων. ὡστε σφόδρα χρὴ ὄργιζεσθαι, ὅτι Φείδων αἵρε- 58 θεὶς ὑμᾶς διαλλάξαι καὶ καταγαγεῖν τῶν αὐτῶν ἔργων Ἐρατοσθένει μετεῖχε καὶ τῇ αὐτῇ γνώμῃ τοὺς μὲν κρείττους αὐτῶν δὶς ὑμᾶς κακῶς ποιεῖν ἔτοιμος ἦν, ὑμῖν δὲ ἀδίκως φεύγονταν οὐκ ἡθέλησεν ἀποδοῦναι τὴν πόλιν, ἀλλ’ ἐλθὼν εἰς Λακεδαιμονα ἐπειθεν αὐτοὺς στρατεύεσθαι, διαβάλλων ὅτι Βοιωτῶν ἡ πόλις ἔσται, καὶ ἄλλα λέγων οἷς ὤφετο πείσειν μάλιστα. οὐ δυνάμενος 59 δὲ τούτων τυχεῖν, εἴτε καὶ τῶν ιερῶν ἐμποδὼν ὅντων εἴτε καὶ αὐτῶν οὐ βουλομένων, ἑκατὸν τάλαντα ἐδανείσατο, ἵνα ἔχοι ἐπικούρους μισθοῦσθαι. καὶ Λύσανδρον ἄρχοντα ἦτήσατο, εὐνούστατον μὲν ὅντα τῇ ὀλιγαρχίᾳ, κακονούστατον δὲ τῇ πόλει, μισοῦντα δὲ μάλιστα τοὺς ἐν Πειραιεῖ. μισθωσάμενοι δὲ πάντας ἀνθρώπους ἐπ’ 60 ὀλέθρῳ τῆς πόλεως, καὶ πόλεις ἐπάγοντες, καὶ τελευτῶντες Λακεδαιμονίους καὶ τῶν συμμάχων ὅπόσους ἐδύναντο πεῖσαι, οὐ διαλλάξαι ἀλλ’ ἀπολέσαι παρεσκευάζοντο τὴν πόλιν εἰ μὴ δὶς ἄνδρας ἀγαθούς, οἷς ὑμεῖς δηλώσατε παρὰ τῶν ἔχθρων δίκην λαβόντες, ὅτι καὶ ἐκείνοις χάριν ἀποδώσετε. ταῦτα δὲ ἐπίστασθε μὲν 61 καὶ αὐτοί, καὶ οὖδ’ ὅτι οὐ δεῖ μάρτυρας παρασχέσθαι· ὅμως δέ· ἐγώ τε γὰρ δέομαι ἀναπαύσασθαι, ὑμῶν τ’ ἐνίοις ἥδιον ὡς πλείστων τοὺς αὐτοὺς λόγους ἀκούειν.

ΜΑΡΤΥΡΕΣ.

Φέρε δὴ καὶ περὶ Θηραμένους ὡς ἀν δύνωμαι διὰ 62 βραχυτάτων διδύξω. δέομαι δ’ ὑμῶν ἀκοῦσαι ὑπέρ τ’.

ἐμαυτοῦ καὶ τῆς πόλεως. καὶ μηδενὶ τοῦτο προσστῆ, ὡς Ἐρατοσθένους κινδυνεύοντος Θηραμένους κατηγορῶ. πυνθάνομαι γὰρ ταῦτα ἀπολογήσεσθαι αὐτόν, ὅτι ἐκείνῳ εἰ φίλος ἦν καὶ τῶν αὐτῶν ἔργων μετεῖχε. καίτοι σφόδρ’ ἀν αὐτὸν οἶμαι μετὰ Θεμιστοκλέους πολιτευόμενον προσποιεῖσθαι πράττειν ὅπως οἰκοδομηθήσεται τὰ τείχη, ὅπότε καὶ μετὰ Θηραμένους ὅπως καθαιρεθήσεται. οὐ γάρ μοι δοκοῦσιν ἵσου ἄξιοι γεγενῆσθαι. ὁ μὲν γὰρ Λακεδαιμονίων ἀκόντων ὡκοδόμησεν αὐτά, οὗτος δὲ τοὺς 64 πολίτας ἐξαπατήσας καθεῖλε. περιέστηκεν οὖν τῇ πόλει τούναντίον ἡ ὡς εἰκὸς ἦν. ἄξιον μὲν γὰρ καὶ τοὺς φίλους τοὺς Θηραμένους προσαπολωλέναι, πλὴν εἴ τις ἐτύγχανεν ἐκείνῳ τάναντία πράττων. νῦν δὲ ὅρῶ τὰς τε ἀπολογίας εἰς ἐκεῖνον ἀναφερομένας, τούς τ’ ἐκείνῳ συνόντας τιμᾶσθαι πειρωμένους, ὡσπερ πολλῶν ἀγαθῶν 65 αἰτίου ἀλλ’ οὐ μεγάλων κακῶν γεγενημένου. ὃς πρῶτον μὲν τῆς προτέρας ὀλιγαρχίας αἰτιώτατος ἐγένετο, πείσας ὑμᾶς τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν ἐλέσθαι. καὶ ὁ μὲν πατὴρ αὐτοῦ τῶν προβούλων ὃν ταῦτ’ ἔπραττεν, αὐτὸς δὲ δοκῶν εὐνούστατος εἶναι τοῖς πράγμασι στρα- 66 τηγὸς ὑπ’ αὐτῶν ἥρεθη. καὶ ἔως μὲν ἐτιμάτο, πιστὸν ἔαυτὸν παρεῖχεν. ἐπειδὴ δὲ Πείσανδρον μὲν καὶ Κάλλαισχρον καὶ ἑτέρους ἔώρα προτέρους αὐτοῦ γιγνομένους, τὸ δὲ ὑμέτερον πλῆθος οὐκέτι βουλόμενον τούτων ἀκροάσθαι, τότ’ ἥδη διά τε τὸν πρὸς ἐκείνους φθόνον καὶ τὸ παρ’ ὑμῶν δέος μετέσχε τῶν Ἀριστοκράτους ἔργων. 67 βουλόμενος δὲ τῷ ὑμετέρῳ πλήθει δοκεῖν πιστὸς εἶναι Ἀντιφῶντα καὶ Ἀρχεπτόλεμον φιλτάτους ὄντας αὐτῷ

κατηγορῶν ἀπέκτεινεν, εἰς τοσοῦτον δὲ κακίας ἥλθεν, ὥστε ἄμα μὲν διὰ τὴν πρὸς ἐκείνους πίστιν ὑμᾶς κατεδουλώσατο, διὰ δὲ τὴν πρὸς ὑμᾶς τοὺς φίλους ἀπώλεσε. τιμώμενος δὲ καὶ τῶν μεγίστων ἀξιούμενος, αὐτὸς ἐπαγ- 68 γειλάμενος σώσειν τὴν πόλιν αὐτὸς ἀπώλεσε, φάσκων πρᾶγμα εύρηκέναι μέγα καὶ πολλοῦ ἄξιον. ὑπέσχετο δὲ εἰρήνην ποιήσειν μήτε ὄμηρα δοὺς μήτε τὰ τείχη καθελῶν μήτε τὰς ναῦς παραδούς. ταῦτα δὲ εἰπεῖν μὲν οὐδενὶ ἡθέλησεν, ἐκέλευσε δὲ αὐτῷ πιστεύειν. ὑμεῖς 69 δέ, ὡς ἄνδρες Ἀθηναῖοι, πραττούσης μὲν τῆς ἐν Ἀρείῳ πάγῳ βουλῆς σωτήρια, ἀντιλεγόντων δὲ πολλῶν Θηραμένει, εἰδότες δὲ ὅτι οἱ μὲν ἄλλοι ἀνθρωποι τῶν πολεμίων ἔνεκεν τάπόρρητα ποιοῦνται, ἐκεῖνος δ' ἐν τοῖς αὐτοῦ πολίταις οὐκ ἡθέλησεν εἰπεῖν ταῦτα ἀ πρὸς τοὺς πολεμίους ἔμελλεν ἐρεῖν, ὅμως ἐπετρέψατε αὐτῷ πατρίδα καὶ παῖδας καὶ γυναῖκας καὶ ὑμᾶς αὐτούς. ὁ δὲ τοῦ μὲν ὑπέσχετο οὐδὲν ἐπραξεν, οὔτως δὲ ἐνετεθύμητο ὡς χρὴ μικρὰν καὶ ἀσθενῆ γενέσθαι τὴν πόλιν, ὥστε περὶ ὅν οὐδεὶς πώποτε οὔτε τῶν πολεμίων ἐμνήσθη οὔτε τῶν πολιτῶν ἥλπισε, ταῦθ' ὑμᾶς ἐπεισε πρᾶξαι, οὐχ ὑπὸ Λακεδαιμονίων ἀναγκαζόμενος, ἀλλ' αὐτὸς ἐκείνοις ἐπαγγελλόμενος, τοῦ τε Πειραιῶς τὰ τείχη περιελεῖν καὶ τὴν ὑπάρχουσαν πολιτείαν καταλῦσαι, εὖ εἰδὼς ὅτι, εἰ μὴ πασῶν τῶν ἐλπίδων ἀποστερηθήσεσθε, ταχεῖαν παρ' αὐτοῦ τὴν τιμωρίαν κομιεῖσθε. καὶ τὸ τελευταῖον, τι ὡς ἄνδρες δικασταί, οὐ πρότερον εἴασε τὴν ἐκκλησίαν γενέσθαι, ἔως ὁ λεγόμενος ὑπ' ἐκείνων καιρὸς ἐπιμελῶς ὑπ' αὐτοῦ ἐτηρήθη, καὶ μετεπέμψατο μὲν τὰς μετὰ

Λυσάνδρου ναῦς ἐκ Σάμου, ἐπεδήμησε δὲ τὸ τῶν πολε-
 72 μίων στρατόπεδον. τότε δὲ τούτων ὑπαρχόντων, καὶ
 παρόντων Λυσάνδρου καὶ Φιλοχάρους καὶ Μιλτιάδου,
 περὶ τῆς πολιτείας τὴν ἐκκλησίαν ἐποίουν, ἵνα μήτε
 ῥήτωρ αὐτοῖς μηδεὶς ἐναντιοῦτο μηδὲ διαπειλοῦτο, ὑμεῖς
 τε μὴ τὰ τῇ πόλει συμφέροντα ἔλοισθε, ἀλλὰ τάκείνοις
 73 δοκοῦντα ψηφίσαισθε. ἀναστὰς δὲ Θηραμένης ἐκέλευ-
 σεν ὑμᾶς τριάκοντα ἄνδρασιν ἐπιτρέψαι τὴν πόλιν, καὶ
 τῇ πολιτείᾳ χρῆσθαι ἦν Δρακοντίδης ἀπέφαινεν. ὑμεῖς
 δ' ὅμως καὶ οὕτω διακείμενοι ἐθορυβεῖτε ὡς οὐ ποιήσον-
 τες ταῦτα· ἐγιγνώσκετε γὰρ ὅτι περὶ δουλείας καὶ ἐλευ-
 74 θερίας ἐν ἐκείνῃ τῇ ήμέρᾳ ἐξεκλησιάζετε. Θηραμένης δέ,
 ὡς ἄνδρες δικασταί, (καὶ τούτων ὑμᾶς αὐτοὺς μάρτυρας
 παρέξομαι) εἰπεν ὅτι οὐδὲν αὐτῷ μέλοι τοῦ ὑμετέρου
 θορύβου, ἐπειδὴ πολλοὺς μὲν Ἀθηναίων εἰδείη τοὺς τὰ
 ὅμοια πράττοντας αὐτῷ, δοκοῦντα δὲ Λυσάνδρῳ καὶ
 Λακεδαιμονίοις λέγοι. μετ' ἐκεῦνον δὲ Λύσανδρος ἀνα-
 στὰς ἀλλα τε πολλὰ εἰπε καὶ ὅτι παρασπόνδους ὑμᾶς
 ἔχοι, καὶ ὅτι οὐ περὶ πολιτείας ὑμῖν ἔσται ἀλλὰ περὶ
 75 σωτηρίας, εἰ μὴ ποιήσαιθ' ἀ Θηραμένης κελεύοι. τῶν
 δ' ἐν τῇ ἐκκλησίᾳ ὅσοι ἄνδρες ἀγαθοὶ ἥσαν, γνόντες τὴν
 παρασκευὴν καὶ τὴν ἀνάγκην, οἱ μὲν αὐτοῦ μένοντες
 ἥσυχίαν ἥγον, οἱ δ' ὥχοντο ἀπιόντες, τοῦτο γοῦν σφίσιν
 αὐτοῖς συνειδότες, ὅτι οὐδὲν κακὸν τῇ πόλει ἐψηφί-
 σαντο· ὀλίγοι δέ τινες καὶ πονηροὶ καὶ κακῶς βουλευό-
 76 μενοι τὰ προσταχθέντα ἔχειροτόμησαν. παρήγγελτο
 γὰρ αὐτοῖς δέκα μὲν οὓς Θηραμένης ἀπέδειξε χειροτομῆ-
 σαι, δέκα δὲ οὓς οἱ καθεστηκότες ἔφοροι κελεύοιεν, δέκα

δ' ἐκ τῶν παρόντων· οὕτω γὰρ τὴν ὑμετέραν ἀσθένειαν
 ἔώρων καὶ τὴν αὐτῶν δύναμιν ἡπίσταντο, ὥστε πρότε-
 ρον ἥδεσαν τὰ μέλλοντα ἐν τῇ ἐκκλησίᾳ πραχθῆσεσθαι.
 ταῦτα δὲ οὐκ ἐμοὶ δεῖ πιστεῦσαι, ἀλλὰ ἐκείνῳ· πάντα τῇ
 γὰρ τὰ ὑπ' ἐμοῦ εἰρημένα ἐν τῇ βουλῇ ἀπολογούμενος
 ἔλεγεν, ὅνειδίζων μὲν τοῖς φεύγοντιν, δτὶ δὲ αὐτὸν κα-
 τέλθοιεν, οὐδὲν φροντιζόντων Λακεδαιμονίων, ὅνειδίζων
 δὲ τοῖς τῆς πολιτείας μετέχουσιν ὅτι πάντων τῶν πε-
 πραγμένων τοῖς εἰρημένοις τρόποις ὑπ' ἐμοῦ αὐτὸς αἴτιος
 γεγενημένος τοιούτων τυγχάνοι, πολλὰς πίστεις αὐτὸς
 ἔργῳ δεδωκὼς καὶ παρ' ἐκείνων ὄρκους εἰληφώς. καὶ 78
 τοσούτων καὶ ἔτέρων κακῶν καὶ αἰσχρῶν καὶ πύλαι καὶ
 νεωστὶ καὶ μικρῶν καὶ μεγάλων αἴτίου γεγενημένου
 τολμήσουσιν αὐτοὺς φίλους ὄντας ἀποφαίνειν, οὐχ ὑπὲρ
 ὑμῶν ἀποθανόντος Θηραμένους ἀλλ' ὑπὲρ τῆς αὐτοῦ πο-
 νηρίας, καὶ δικαίως μὲν ἐν ὀλιγαρχίᾳ δίκην δόντος (ἥδη
 γὰρ αὐτὴν κατέλυσε), δικαίως δὲ ἀν ἐν δημοκρατίᾳ· δις
 γὰρ ὑμᾶς κατεδουλώσατο, τῶν μὲν παρόντων καταφρο-
 νῶν, τῶν δὲ ἀπόντων ἐπιθυμῶν, καὶ τῷ καλλίστῳ ὄνό-
 ματι χρώμενος δεινοτάτων ἔργων διδάσκαλος καταστάς.

Περὶ μὲν τοίνυν Θηραμένους ίκανά μοί ἐστι τὰ κατη- 79
 γορημένα· ἥκει δ' ὑμῖν ἐκεῖνος ὁ καιρός, ἐνῷ δεῖ συγ-
 γνώμην καὶ ἔλεον μὴ εἶναι ἐν ταῖς ὑμετέραις γνώμαις,
 ἀλλὰ παρὰ Ἐρατοσθένους καὶ τῶν τούτου συναρχόν-
 των δίκην λαβεῖν, μηδὲ μαχομένους μὲν κρείττους εἶναι
 τῶν πολεμίων, ψηφιζομένους δὲ ἥττους τῶν ἔχθρῶν.
 μηδ' ὅν φασι μέλλειν πράξειν πλείω χάριν αὐτοῖς ἵστε, 80
 ἥ ὅν ἐποίησαν ὄργιζεσθε· μηδ' ἀποῦσι μὲν τοῖς τριά-

κοντα ἐπιβουλεύετε, παρόντας δ' ἀφῆτε· μηδὲ τῆς τύχης, ἢ τούτους παρέδωκε τῇ πόλει, κάκιον ὑμῖν αὐτοῖς βοηθήσητε.

81 Κατηγόρηται δὴ Ἐρατοσθένους καὶ τῶν τούτου φίλων, οἷς τὰς ἀπολογίας ἀνοίσει καὶ μεθ' ὃν αὐτῷ ταῦτα πέπρακται. ὁ μέντοι ἀγὸν οὐκ ἐξ ἵσου τῇ πόλει καὶ Ἐρατοσθένει· οὗτος μὲν γὰρ κατήγορος καὶ δικαστὴς αὐτὸς ἦν τῶν κρινομένων, ἡμεῖς δὲ νυνὶ εἰς κατηγορίαν 82 καὶ ἀπολογίαν καθέσταμεν. καὶ οὗτοι μὲν τοὺς οὐδὲν ἀδικοῦντας ἀπέκτειναν ἀκρίτους, ὑμεῖς δὲ τοὺς ἀπολέσαντας τὴν πόλιν κατὰ τὸν νόμον ἀξιοῦτε κρίνειν, παρ' ὃν οὐδ' ἀν παρανόμως βουλόμενοι δίκην λαμβάνειν ἀξίαν τῶν ἀδικημάτων ὃν τὴν πόλιν ἡδικήκασι λάβοιτε. τί γὰρ ἀν παθόντες δίκην τὴν ἀξίαν εἴησαν τῶν ἔργων 83 δεδωκότες; πότερον εἰ αὐτὸς ἀποκτείνοιτε καὶ τοὺς παῖδας αὐτῶν, ἵκανὴν ἀν τοῦ φόνου δίκην λάβοιμεν, ὃν οὗτοι πατέρας καὶ νίεῖς καὶ ἀδελφοὺς ἀκρίτους ἀπέκτειναν; ἀλλὰ γὰρ εἰ τὰ χρήματα τὰ φανερὰ δημεύσετε, καλῶς ἀν ἔχοι ἢ τῇ πόλει, ἢσι οὗτοι πολλὰ εἰλήφασιν, ἢ 84 τοῖς Ἰδιώταις, ὃν τὰς οἰκίας ἐξεπόρθησαν; ἐπειδὴ τοίνυν πάντα ποιοῦντες δίκην παρ' αὐτῶν οὐκ ἀν δύναισθε λαβεῖν, πῶς οὐκ αἰσχρὸν ὑμῖν καὶ ἡντινοῦν ἀπολιπεῖν, ἥντινά τις βούλοιτο παρὰ τούτων λαμβάνειν; πᾶν δ' ἀν μοι δοκεῖ τολμῆσαι, ὅστις νυνὶ οὐχ ἐτέρων ὄντων τῶν δικαστῶν ἀλλ' αὐτῶν τῶν κακῶς πεπονθότων, ἥκει ἀπολογησόμενος πρὸς αὐτὸς τοὺς μάρτυρας τῆς τούτου πονηρίας· τοσοῦτον ἢ ὑμῶν καταπεφρόνηκεν ἢ ἐτέροις 85 πεπίστευκεν. ὃν ἀμφοτέρων ἄξιον ἐπιμεληθῆναι, ἐνθυ-

μουμένους ὅτι οὔτ' ἀν ἐκεῖνα ἐδύναντο ποιεῖν μὴ ἐτέρων συμπραττόντων οὔτ' ἀν νῦν ἐπεχείρησαν ἐλθεῖν μὴ ὑπὸ τῶν αὐτῶν οἰόμενοι σωθήσεσθαι, ὃν οὐ τούτοις ἥκουσι βοηθήσοντες, ἀλλὰ ἡγούμενοι πολλὴν ἄδειαν σφίσιν ἔσεσθαι τῶν τε πεπραγμένων καὶ τοῦ λοιποῦ ποιεῖν ὅτι ἀν βούλωνται, εἰ τοὺς μεγίστων κακῶν αἰτίους λαβόντες ἀφήσετε.

’Αλλὰ καὶ τῶν συνερούντων αὐτοῖς ἄξιον θαυμάζειν, 86 πότερον ὡς καλοὶ κἀγαθοὶ αἰτήσονται, τὴν αὐτῶν ἀρετὴν πλείονος ἄξιαν ἀποφαίνοντες τῆς τούτων πονηρίας. ἐβουλόμην μέντ' ἀν αὐτοὺς οὔτω προθύμους εἶναι σώζειν τὴν πόλιν, ὥσπερ οὗτοι ἀπολλύναι. ἡ ὡς δεινοὶ λέγειν ἀπολογήσονται καὶ τὰ τούτων ἔργα πολλοῦ ἄξια ἀποφανοῦσιν. ἀλλ' οὐχ ὑπὲρ ὑμῶν οὐδεὶς αὐτῶν οὐδὲ τὰ δίκαια πώποτε ἐπεχείρησεν εἰπεῖν.

’Αλλὰ τοὺς μάρτυρας ἄξιον ἰδεῖν, ὃν τούτοις μαρτυ- 87 ροῦντες αὐτῶν κατηγυροῦσι, σφόδρα ἐπιλήσμονας καὶ εὐήθεις νομίζοντες ὑμᾶς εἶναι, εἰ διὰ μὲν τὸ ὑμέτερον πλῆθος ἀδεῶς¹ ἡγοῦνται τοὺς τριάκοντα σώσειν, διὰ δὲ ’Ερατοσθένην καὶ τοὺς συνάρχοντας αὐτοῦ δεινὸν ἦν καὶ τῶν τεθνεώτων ἐπ’ ἐκφορὰν ἐλθεῖν. καίτοι οὗτοι μὲν 88 σωθέντες πάλιν ἀν δύναιντο τὴν πόλιν ἀπολέσαν. ἐκεῖνοι δέ, οὓς οὗτοι ἀπώλεσαν, τελευτήσαντες τὸν βίον πέρας ἔχουσι τῆς παρὰ τῶν ἐχθρῶν τιμωρίας. οὐκ οὖν δεινὸν εἰ τῶν μὲν ἀδίκως τεθνεώτων οἱ φίλοι συναπώλυντο, αὐτοῖς δὲ τοῖς τὴν πόλιν ἀπολέσασι δήπου ἐπ’ ἐκφορὰν πολλοὶ ἥξουσιν, ὅπότε βοηθεῖν τοσοῦτοι παρασκευάζονται; καὶ μὲν δὴ πολλῷ ῥᾷσον ἡγοῦμαι εἶναι 89

ὑπὲρ ὃν ὑμεῖς ἐπάσχετε ἀντειπεῖν, ἢ ὑπὲρ ὃν οὗτοι πεποιήκασιν ἀπολογήσασθαι. καίτοι λέγουσιν ὡς Ἐρατοσθένει ἐλάχιστα τῶν τριάκοντα κακὰ εἴργασται, καὶ διὰ τοῦτο αὐτὸν ἀξιοῦσι σωθῆναι· ὅτι δὲ τῶν ἄλλων Ἐλλήνων πλεῖστα εἰς ὑμᾶς ἐξημάρτηκεν, οὐκ οἴονται ⁹⁰ χρῆναι αὐτὸν ἀπολέσθαι. ὑμεῖς δὲ δείξετε ἥντινα γνώμην ἔχετε περὶ τῶν πραγμάτων. εἰ μὲν γὰρ τούτου καταψηφιεῖσθε, δῆλοι ἔσεσθε ὡς ὀργιζόμενοι τοῖς πεπραγμένοις· εἰ δὲ ἀποψηφιεῖσθε, ὀφθήσεσθε τῶν αὐτῶν ἔργων ἐπιθυμῆταὶ τούτοις ὅντες, καὶ οὐχ ἔξετε λέγειν ὅτι τὰ ὑπὸ τῶν τριάκοντα προσταχθέντα ἐποιεῖτε· νυνὶ μὲν γὰρ οὐδεὶς ὑμᾶς ἀναγκάζει παρὰ τὴν ὑμετέραν γνώμην ἀποψηφίζεσθαι. ὥστε συμβουλεύω μὴ τούτων ἀποψηφισαμένους ὑμῶν αὐτῶν καταψηφίσασθαι. μηδ' οἴεσθε κρύβδην εἶναι τὴν ψῆφον· φανερὰν γὰρ τῇ πόλει τὴν ὑμετέραν γνώμην ποιήσετε.

⁹² Βούλομαι δὲ ὀλίγα ἔκατέρους ἀναμνήσας καταβαίνειν, τούς τε ἔξ ἄστεος καὶ τοὺς ἐκ Πειραιῶς, ἵνα τὰς ὑμῖν διὰ τούτων γεγενημένας συμφορὰς παραδείγματα ἔχοντες τὴν ψῆφον φέρητε. καὶ πρῶτον μὲν ὅσοι ἔξ ἄστεος ἔστε, σκέψασθε ὅτι ὑπὸ τούτων οὗτοι σφόδρα ἥρχεσθε, ὥστε ἀδελφοῖς καὶ υἱέσι καὶ πολίταις ἡναγκάζεσθε πολεμεῖν τοιοῦτον πόλεμον, ἐν ᾧ ἡττηθέντες μὲν τοῖς νικήσασι τὸ ἵσον ἔχετε, νικήσαντες δ' ἀν τούτοις ⁹³ ἐδουλεύετε. καὶ τοὺς ἴδιους οἴκους οὗτοι μὲν ἐκ τῶν πραγμάτων μεγάλους ἐκτήσαντο, ὑμεῖς δὲ διὰ τὸν πρὸς ἄλλήλους πόλεμον ἐλάττους ἔχετε· συνωφελεῖσθαι μὲν γὰρ ὑμᾶς οὐκ ἡξίουν, συνδιαβάλλεσθαι δ' ἡνάγκαξον,

εἰς τοσοῦτον ὑπεροψίας ἐλθόντες ὥστε οὐ τῶν ἀγαθῶν κοινούμενοι πιστοὺς ὑμᾶς ἔκτωντο, ἀλλὰ τῶν ὀνειδῶν μεταδιδόντες εὖνοις φῶντο εἶναι. ἀνθ' ὧν ὑμεῖς νῦν ἐν 94 τῷ θαρραλέῳ ὅντες, καθ' ὅσον δύνασθε καὶ ὑπὲρ ὑμῶν αὐτῶν καὶ ὑπὲρ τῶν ἐκ Πειραιῶς τιμωρήσασθε, ἐνθυμηθέντες μὲν ὅτι ὑπὸ τούτων πονηροτάτων ὅντων ἥρχεσθε, ἐνθυμηθέντες δὲ ὅτι μετ' ἀνδρῶν νῦν ἀρίστων πολιτεύεσθε καὶ τοῖς πολεμίοις μάχεσθε καὶ περὶ τῆς πόλεως βουλεύεσθε, ἀναμνησθέντες δὲ τῶν ἐπικούρων, οὓς οὗτοι φύλακας τῆς σφετέρας ἀρχῆς καὶ τῆς ὑμετέρας δουλείας εἰς τὴν ἀκρόπολιν κατέστησαν. καὶ πρὸς ὑμᾶς μὲν ἐτι 95 πολλῶν ὅντων εἰπεῖν τοσαῦτα λέγω. ὅσοι δ' ἐκ Πειραιῶς ἔστε, πρῶτον μὲν τῶν ὅπλων ἀναμνήσθητε, ὅτι πολλὰς μάχας ἐν τῇ ἀλλοτρίᾳ μαχεσάμενοι οὐχ ὑπὸ τῶν πολεμίων ἀλλ' ὑπὸ τούτων εἰρήνης οὔσης ἀφηρέθητε τὰ ὅπλα, ἔπειθ' ὅτι ἐξεκηρύχθητε μὲν ἐκ τῆς πόλεως, ἦν ὑμῖν οἱ πατέρες παρέδοσαν, φεύγοντας δὲ ὑμᾶς ἐκ τῶν πόλεων ἐξητοῦντο. ἀνθ' ὧν ὀργίσθητε μὲν 96 ὥσπερ ὅτ' ἐφεύγετε, ἀναμνήσθητε δὲ καὶ τῶν ἄλλων κακῶν ἢ πεπόνθατε ὑπ' αὐτῶν, οἱ τοὺς μὲν ἐκ τῆς ἀγορᾶς τοὺς δ' ἐκ τῶν ἱερῶν συναρπάζοντες βιαιώς ἀπέκτειναν, τοὺς δὲ ἀπὸ τέκνων καὶ γονέων καὶ γυναικῶν ἀφέλκοντες φονέας αὐτῶν ἡνάγκασαν γενέσθαι καὶ οὐδὲ ταφῆς τῆς νομιζομένης εἴλασαν τυχεῖν, ἥγούμενοι τὴν αὐτῶν ἀρχὴν βεβαιοτέραν εἶναι τῆς παρὰ τῶν θεῶν τιμωρίας. ὅσοι δὲ τὸν θάνατον διέφυγον, πολλαχοῦ κιν- 97 δυνεύσαντες καὶ εἰς πολλὰς πόλεις πλανηθέντες καὶ πανταχόθεν ἐκκηρυττόμενοι, ἐνδεεῖς ὅντες τῶν ἐπιτη-

δείων, οἱ μὲν ἐν πολεμίᾳ τῇ πατρίδι τοὺς παῖδας καταλιπόντες, οἱ δὲ ἐν ξένῃ γῇ, πολλῶν ἐναντιουμένων ἥλθετε εἰς τὸν Πειραιᾶ. πολλῶν δὲ καὶ μεγάλων κινδύνων ὑπαρξάντων ἄνδρες ἀγαθοὶ γενόμενοι τοὺς μὲν ἥλευθε-
98 ρώσατε, τοὺς δὲ εἰς τὴν πατρίδα κατηγάγετε. εἰ δὲ ἐδυστυχήσατε καὶ τούτων ἡμάρτετε, αὐτοὶ μὲν ἀν δείσαντες ἐφεύγετε μὴ πάθητε τοιαῦτα οἷα καὶ πρότερον, καὶ οὕτ’ ἀν ίερὰ οὕτε βωμοὶ ὑμᾶς ἀδικουμένους διὰ τοὺς τούτων τρόπους ὡφέλησαν, ἀ καὶ τοῖς ἀδικοῦσι σωτήρια γίγνεται· οἱ δὲ παῖδες ὑμῶν, ὅσοι μὲν ἐνθάδε ἦσαν, ὑπὸ τούτων ἀν ὑβρίζοντο, οἱ δὲ ἐπὶ ξένης μικρῶν ἀν ἔνεκα συμβολαίων ἐδούλευον ἐρημίᾳ τῶν ἐπικουρησόντων.

99 Ἀλλὰ γὰρ οὐ τὰ μέλλοντα ἔσεσθαι βούλομαι λέγειν, τὰ πραχθέντα ὑπὸ τούτων οὐ δυνάμενος εἰπεῖν· οὐδὲ γὰρ ἐνὸς κατηγόρου οὐδὲ δυοῖν ἔργον ἔστιν, ἀλλὰ πολλῶν. δμως δὲ τῆς ἐμῆς προθυμίας οὐδὲν ἐλλέλειπται, ὑπέρ τε τῶν ίερῶν, ἀ οὗτοι τὰ μὲν ἀπεδοντο τὰ δὲ εἰσιόντες ἐμίαινον, ὑπέρ τε τῆς πόλεως, ἷν μικρὰν ἐποίουν, ὑπέρ τε τῶν νεωρίων, ἀ καθεῖλον, καὶ ὑπέρ τῶν τεθνεώτων, οἵς ὑμεῖς, ἐπειδὴ ζῶσιν ἐπαμῦναι οὐκ ἥδυνασθε, 100 ἀποθανοῦσι βοηθήσατε. οἶμαι δὲ αὐτοὺς ὑμῶν τε ἀκρο- ἀσθαι καὶ ὑμᾶς εἴσεσθαι τὴν ψῆφον φέροντας, ἡγουμένους, ὅσοι μὲν ἀν τούτων ἀποψηφίσησθε, αὐτῶν θάνατον καταψηφιεῖσθαι, ὅσοι δὲ ἀν παρὰ τούτων δίκην λάβωσιν, ὑπὲρ αὐτῶν τὰς τιμωρίας πεποιημένους.

Παύσομαι κατηγορῶν. ἀκηκόατε, ἐωράκατε, πεπόνθατε, ἔχετε· δικάζετε.

XXV.

ΔΗΜΟΥ ΚΑΤΑΛΥΣΕΩΣ ΑΠΟΛΟΓΙΑ.

ΤΜΙΝ μὲν πολλὴν συγγνώμην ἔχω, ὁ ἄνδρες δικασταί, ἀκούουσι τοιούτων λόγων καὶ ἀναμιμνησκομένοις τῶν γεγενημένων, ὁμοίως ἀπασιν ὄργιζεσθαι τοῖς ἐν ἄστει μείνασι· τῶν δὲ κατηγόρων θαυμάζω, οὐλ ἀμελοῦντες τῶν οἰκείων τῶν ἀλλοτρίων ἐπιμελοῦνται· καὶ σαφῶς εἰδότες τοὺς μηδὲν ἀδικοῦντας καὶ τοὺς πολλὰ ἐξημαρτηκότας ζητοῦσι [κερδαίνειν, ἥ] ὑμᾶς πείθειν περὶ ἀπώντων ἡμῶν τὴν γνώμην ταύτην ἔχειν. εἰ μὲν οὖν 2 οἴονται, ἀνπὸ τῶν τριάκοντα γεγένηται τῇ πόλει, [πάνθ' ὁμοῦ] κατηγορηκέναι, ἀδυνάτους αὐτοὺς ἡγοῦμαι λέγειν· οὐδὲ γὰρ πολλοστὸν μέρος τῶν ἐκείνοις πεπραγμένων εἰρήκασιν· εἰ δὲ ὡς ἐμοί τι προσῆκον περὶ αὐτῶν ποιοῦνται τοὺς λόγους, ἀποδείξω τούτους μὲν ἀπαντα ψευδομένους, ἐμαυτὸν δὲ τοιοῦτον ὅντα οἶσπερ ἀν τῶν ἐκ Πειραιῶς ὁ βέλτιστος ἐν ἄστει μείνας ἐγένετο. δέο- 3 μαι δ' ὑμῶν, ὁ ἄνδρες δικασταί, μὴ τὴν αὐτὴν γνώμην ἔχειν τοῖς συκοφάνταις. τούτων μὲν γὰρ ἔργου ἔστι καὶ τοὺς μηδὲν ἡμαρτηκότας εἰς αἰτίαν καθιστάναι (ἐκ τούτων γὰρ ἀν μάλιστα χρηματίζοιντο), ὑμέτερον δὲ τοῖς μηδὲν ἀδικοῦσιν ἐξ ἵσου τῆς πολιτείας μεταδιδόναι· οὕτω γὰρ ἀν τοῖς καθεστηκόσι πράγμασι πλείστους συμμάχους ἔχοιτε. ἀξιῶ δέ, ὁ ἄνδρες δικασταί, ἐὰν 4

ἀποφήνω συμφορᾶς μὲν μηδεμιᾶς αἴτιος γεγενημένος, πολλὰ δὲ κἀγαθὰ εἰργασμένος τὴν πόλιν καὶ τῷ σώματι καὶ τοῖς χρήμασι, ταῦτα γοῦν μοι παρ' ὑμῶν ὑπάρχειν, ὃν οὐ μόνον τοὺς εὐ πεποιηκότας ἀλλὰ καὶ τοὺς μηδὲν 5 ἀδικοῦντας τυγχάνειν δίκαιον ἔστι. μέγα μὲν οὖν ἡγοῦμαι [έμοὶ] τεκμήριον εἶναι, ὅτι, εἴπερ ἐδύναντο οἱ κατίγοροι ἴδιᾳ με ἀδικοῦντα ἐξελέγξαι, οὐκ ἀν τὰ τῶν τριάκοντα ἀμαρτήματα ἐμοῦ κατηγόρουν, οὐδ' ἀν ὕστοντο χρῆναι ὑπὲρ τῶν ἐκείνοις πεπραγμένων ἐτέρους διαβάλλειν, ἀλλ' αὐτοὺς τοὺς ἀδικοῦντας τιμωρεῖσθαι. νῦν δὲ νομίζουσι τὴν πρὸς ἐκείνους ὀργὴν ἰκανὴν εἶναι καὶ τοὺς 6 μηδὲν κακὸν εἰργασμένους ἀπολέσαι. ἐγὼ δὲ οὐχ ἡγοῦμαι δίκαιον εἶναι οὔτε εἴ τινες τῇ πόλει πολλῶν ἀγαθῶν αἴτιοι γεγένηνται, ἄλλους τινὰς ὑπὲρ τούτων τιμὴν ἢ χάριν κομίσασθαι παρ' ὑμῶν, οὔτ' εἴ τινες πολλὰ κακὰ εἰργασμένοι εἰσίν, εἰκότως ἀν δι' ἐκείνους τοὺς μηδὲν ἀδικοῦντας ὄνείδους καὶ διαβολῆς τυγχάνειν. ἰκανοὶ γὰρ οἱ ὑπάρχοντες ἔχθροὶ τῇ πόλει καὶ μέγα κέρδος νομίζοντες εἶναι τοὺς ἀδίκως ἐν ταῖς διαβολαῖς καθεστήκοτας.

7 Πειράσομαι δ' ὑμᾶς διδάξαι, οὓς ἡγοῦμαι τῶν πολιτῶν προσήκειν ὀλιγαρχίας ἐπιθυμεῖν καὶ δημοκρατίας. ἐκ τούτου γὰρ καὶ ὑμεῖς γνώσεσθε, [κάγὼ περὶ ἐμαυτοῦ τὴν ἀπολογίαν ποιήσομαι, ἀποφαίνων] ὡς οὔτε ἐξ ὃν ἐν δημοκρατίᾳ οὔτε ἐξ ὃν ἐν ὀλιγαρχίᾳ πεποίηκα, οὐδέν μοι προσῆκον κακόνουν εἶναι τῷ πλήθει τῷ ὑμετέρῳ.

8 πρῶτον μὲν οὖν ἐνθυμηθῆναι χρὴ ὅτι οὐδείς ἔστιν ἀνθρώπων φύσει οὔτε ὀλιγαρχικὸς οὔτε δημοκρατικός, ἀλλ'

ἥτις ἀν ἔκάστῳ πολιτείᾳ συμφέρῃ, ταύτην προθυμεῖται καθιστάναι· ὡστε οὐκ ἐλάχιστον ἐν ὑμῖν ἔστι μέρος ὡς πλείστους ἐπιθυμεῖν τῶν παρόντων νυνὶ πραγμάτων. καὶ ταῦτα ὅτι οὕτως ἔχει, οὐ χαλεπῶς ἐκ τῶν πρότερον γεγενημένων μαθήσεσθε· σκέψασθε γάρ, ὃ ἄνδρες δι-⁹ κασταί, τοὺς προστάτας ἀμφοτέρων τῶν πολιτειῶν, ὅσάκις δὴ μετεβάλλοντο. οὐ Φρύνιχος μὲν καὶ Πείσανδρος καὶ οἱ μετ' ἐκείνων δημαγωγοί, ἐπειδὴ πολλὰ εἰς ὑμᾶς ἐξήμαρτον, τὰς περὶ τούτων δείσαντες τιμωρίας τὴν προτέραν ὀλιγαρχίαν κατέστησαν, πολλοὶ δὲ τῶν τετρακοσίων μετὰ τῶν ἐκ Πειραιῶς συγκατῆλθον, ἔνιοι δὲ τῶν ἐκείνους ἐκβαλόντων αὐτοὶ αὐθις τῶν τριάκοντα ἐγένοντο; εἰσὶ δὲ οἵτινες τῶν Ἐλευσῖνάδε ἀπογραψαμένων, ἐξελθόντες μέθ' ὑμῶν ἐπολιόρκουν τοὺς μεθ' αὐτῶν. οὕκουν χαλεπὸν γνῶναι, ὃ ἄνδρες δικασταί, ὅτι οὐ περὶ¹⁰ πολιτείας εἰσὶν αἱ πρὸς ἀλλήλους διαφοραί, ἀλλὰ περὶ τῶν ἴδιᾳ συμφερόντων ἐκάστῳ. ὑμᾶς οὖν χρὴ ἐκ τούτων δοκιμάζειν τοὺς πολίτας, σκοποῦντας μὲν ὅπως ἥσαν ἐν τῇ δημοκρατίᾳ πεπολιτευμένοι, ζητοῦντας δὲ ἥτις αὐτοῖς ἐγίγνετο ὡφέλεια τῶν πραγμάτων μεταπεσόντων· οὕτω γὰρ ἀν δικαιοτάτην τὴν κρίσιν περὶ αὐτῶν ποιοῖσθε. ἐγὼ τοίνυν ἥγοῦμαι, ὅσοι μὲν ἐν τῇ δημοκρα-¹¹ τίᾳ ἄτιμοι ἥσαν εὐθύνας δεδωκότες ἢ τῶν ὄντων ἀπεστερημένοι ἢ ἄλλῃ τινὶ συμφορᾷ τοιαύτῃ κεχρημένοι, προσήκειν αὐτοῖς ἑτέρας ἐπιθυμεῖν πολιτείας, ἐλπίζοντας τὴν μεταβολὴν ὡφέλειάν τινα αὐτοῖς ἔσεσθαι· ὅσοι δὲ τὸν δῆμον πολλὰ κάγαθὰ εἰργασμένοι εἰσί, κακὸν δὲ μηδὲν πώποτε, ὀφείλεται δὲ αὐτοῖς χάριν κομίσασθαι

παρ' ὑμῶν μᾶλλον ἢ δοῦναι δίκην τῶν πεπραγμένων, οὐκ ἄξιον τὰς περὶ τούτων ἀποδέχεσθαι διαβολάς, οὐδὲ ἀν πάντες οἱ τὰ τῆς πόλεως πράττοντες ὀλιγαρχικοὺς 12 αὐτοὺς φύσκωσιν εἶναι. ἐμοὶ τοίνυν, ὡς ἄνδρες δικασταί, οὗτ' ἴδια οὔτε δημοσίᾳ συμφορὰ ἐν ἐκείνῳ τῷ χρόνῳ οὐδεμία πώποτε ἐγένετο, ἀνθ' ἡστινος ἀν προθυμούμενος τῶν παρόντων κακῶν ἀπαλλαγῆναι ἐτέρων ἐπεθύμουν πραγμάτων. τετριηράρχηκα μὲν γὰρ πεντάκις, καὶ τετράκις νεναυμάχηκα, καὶ εἰσφορὰς ἐν τῷ πολέμῳ πολλὰς εἰσενήνοχα, καὶ τᾶλλα λελειτούργηκα οὐδενὸς χείρον 13 τῶν πολιτῶν. καίτοι διὰ τοῦτο πλείω τῶν ὑπὸ τῆς πόλεως προσταττομένων ἐδαπανώμην, ἵνα καὶ βελτίων ὑφ' ὑμῶν νομιζοίμην, καὶ εἴ πού μοί τις συμφορὰ γένοιτο, ἄμεινον ἀγωνιζοίμην. ὡν ἐν τῇ ὀλιγαρχίᾳ ἀπάντων ἀπεστερούμην· οὐ γὰρ τοὺς τῷ πλήθει ἀγαθοῦ τινος αἰτίους γεγενημένους χάριτος παρ' αὐτῶν ἡξίουν τυγχάνειν, ἀλλὰ τοὺς πλεῖστα κακὰ ὑμᾶς εἰργασμένους εἰς τὰς τιμὰς καθίστασαν, ως ταύτην παρ' ἡμῶν πίστιν εἰληφότες. ἡ χρὴ πάντας ἐνθυμουμένους μὴ τοῖς τούτων λόγοις πιστεύειν, ἀλλὰ ἐκ τῶν ἔργων σποπεῖν ἀ 14 ἐκάστῳ τυγχάνει πεπραγμένα. ἐγὼ γάρ, ὡς ἄνδρες δικασταί, οὔτε τῶν τετρακοσίων ἐγενόμην· ἢ τῶν κατηγόρων ὁ βουλόμενος παρελθὼν ἐλεγξάτω· οὐ τοίνυν οὐδὲ ἐπειδὴ οἱ τριάκοντα κατέστησαν, οὐδείς με ἀποδείξει οὔτε βουλεύσαντα οὔτε ἀρχὴν οὐδεμίαν ἄρξαντα. καίτοι εἰ μὲν ἔξον μοι ἄρχειν μὴ ἡβουλόμην, ὑφ' ὑμῶν νυνὶ τιμᾶσθαι δίκαιός εἰμι· εἰ δὲ οἱ τότε δυνάμειοι μὴ ἡξίουν μοι μεταδιδόναι τῶν πραγμάτων, πῶς ἀν

φανερώτερον ἢ οὕτω ψευδομένους ἀποδείξαιμι τοὺς κατηγόρους;

"Ετι τοίνυν, ὡς ἄνδρες δικασταί, καὶ ἐκ τῶν ἄλλων τῶν ἐμοὶ πεπραγμένων ἄξιον σκέψασθαι. ἐγὰρ τοιοῦτον ἐμαυτὸν ἐν ταῖς τῆς πόλεως συμφοραῖς παρέσχον ὥστε, εἰ πάντες τὴν αὐτὴν γνώμην ἔσχον ἐμοί, μηδένα ἀν ὑμῶν μηδεμιᾶ κεχρῆσθαι συμφορᾶ. ὑπ' ἐμοῦ γὰρ ἐν τῇ ὀλιγαρχίᾳ οὔτε ἀπαχθεὶς οὐδεὶς φανήσεται, οὔτε τῶν ἔχθρῶν οὐδεὶς τετιμωρημένος, οὔτε τῶν φίλων εὑρὶς πεπονθώσ. καὶ τοῦτο μὲν οὐκ ἄξιον θαυμάζειν. εὖ μὲν γὰρ ποιεῖν ἐν ἐκείνῳ τῷ χρόνῳ χαλεπὸν ἦν, ἔξαμαρτάνειν δὲ τῷ βουλομένῳ ράδιον. οὐ τοίνυν οὐδὲ εἰς τὸν κατάλογον Ἀθηναίων καταλέξας οὐδένα φανήσομαι, οὐδὲ δίαιταν καταδιαιτησάμενος οὐδενός, οὐδὲ πλουσιώτερος ἐκ τῶν ὑμετέρων γεγονὼς συμφορῶν. καίτοι εἰ τοῖς τῶν γεγενημένων κακῶν αἰτίοις ὄργιζεσθε, εἰκὸς καὶ τοὺς μηδὲν ἴμαρτηκότας βελτίους ὑφ' ὑμῶν νομίζεσθαι. καὶ μὲν δή, ὡς ἄνδρες δικασταί, μεγίστην ἡγοῦμαι περὶ ἐμαυτοῦ τῇ δημοκρατίᾳ πίστιν δεδωκέναι. δότις γὰρ τότε οὐδὲν ἔξημαρτον οὔτω πολλῆς δεδομένης ἔξουσίας, ἢ που νῦν σφόδρα προθυμηθήσομαι χρηστὸς εἶναι, εὖ εἰδὼς ὅτι, ἐὰν ἀδικῶ, παραχρῆμα δώσω δίκην. ἀλλὰ γὰρ τοιαύτην διὰ τέλους γνώμην ἔχω, ὥστε ἐν ὀλιγαρχίᾳ μὲν μὴ ἐπιθυμεῖν τῶν ἀλλοτρίων, ἐν δημοκρατίᾳ δὲ τὰ ὄντα προθύμως εἰς ὑμᾶς ἀναλίσκειν.

"Ηγοῦμαι δέ, ὡς ἄνδρες δικασταί, οὐκ ἀν δικαίως ὑμᾶς μισεῖν τοὺς ἐν τῇ ὀλιγαρχίᾳ μηδὲν πεπονθότας κακόν, ἔξὸν ὄργιζεσθαι τοῖς εἰς τὸ πλήθος ἔξημαρτηκόσιν, οὐδὲ

τοὺς μὴ φυγόντας ἐχθροὺς νομίζειν, ἀλλὰ τοὺς ὑμᾶς ἐκβαλόντας, οὐδὲ τοὺς προθυμουμένους τὰ ἑαυτῶν σῶσαι, ἀλλὰ τοὺς τὰ τῶν ἄλλων ἀφηρημένους, οὐδὲ οἱ τῆς σφετέρας αὐτῶν σωτηρίας ἔνεκα ἔμειναν ἐν τῷ ἀστει, ἀλλ’ οἵτινες ἐτέρους ἀπολέσαι βουλόμενοι μετέσχουν τῶν πραγμάτων. εἰ δὲ οἵσθε χρῆναι, οὓς ἐκεῖνοι παρέλιπον ἀδικοῦντες, ὑμεῖς ἀπολέσαι, οὐδεὶς τῶν πολιτῶν ὑπολειφθήσεται.

29 Σκοπεῖν δὲ χρὴ καὶ ἐκ τῶνδε, ὡς ἄνδρες δικασταί. πάντες γὰρ ἐπίστασθε ὅτι ἐν τῇ προτέρᾳ δημοκρατίᾳ τῶν τὰ τῆς πόλεως πραττόντων πολλοὶ μὲν τὰ δημόσια ἔκλεπτον, ἔνιοι δ’ ἐπὶ τοῖς ὑμετέροις ἐδωροδόκουν, οἱ δὲ συκοφαντοῦντες τοὺς συμμάχους ἀφίστασαν. καὶ εἰ μὲν οἱ τριάκοντα τούτους μόνους ἐτιμωροῦντο, ἄνδρας ἀγαθοὺς καὶ ὑμεῖς ἀν αὐτοὺς ἡγεῖσθε. νῦν δέ, ὅτι ὑπὲρ τῶν ἐκείνοις ἡμαρτημένων τὸ πλῆθος κακῶς ποιεῖν ἡξίουν, ἡγανακτεῖτε, ἡγούμενοι δεινὸν εἶναι τὰ [τῶν] 20 δλίγων ἀδικήματα πάση τῇ πόλει γίγνεσθαι κοινά. οὐ τοίνυν ἄξιον χρῆσθαι τούτοις, οἷς ἐκείνους ἐωράτε ἐξαμαρτάνοντας, οὐδὲ ἀ πάσχοντες ἀδικα ἐνομίζετε πάσχειν, ὅταν ἐτέρους ποιῆτε, δίκαια ἡγεῖσθαι, ἀλλὰ τὴν αὐτὴν κατελθόντες περὶ αὐτῶν γνώμην ἔχετε, ἥνπερ φεύγοντες [περὶ ὑμῶν αὐτῶν] εἴχετε. ἐκ τούτων γὰρ καὶ ὄμόνοιαν πλείστην ποιήσετε, καὶ ἡ πόλις ἔσται μεγίστη, καὶ τοῖς ἐχθροῖς ἀνιαρότατα ψηφιεῖσθε.

21 Ἐνθυμηθῆναι δὲ χρή, ὡς ἄνδρες δικασταί, καὶ τῶν ἐπὶ τῶν τριάκοντα γεγενημένων, ἵνα τὰ τῶν ἐχθρῶν ἀμαρτήματα ἔμεινον ὑμᾶς ποιήσῃ περὶ τῶν ὑμετέρων αὐτῶν

βουλεύσασθαι. ὅτε μὲν γὰρ ἀκούοιτε τοὺς ἐν ἄστει τὴν αὐτὴν γνώμην ἔχειν, μικρὸς ἐλπίδας εἴχετε τῆς καθόδου, ἡγούμενοι τὴν ἴμετέραν ὁμόνοιαν μέγιστον κακὸν εἶναι τῇ ὑμετέρᾳ φυγῇ· ἐπειδὴ δ' ἐπυνθάνεσθε τοὺς ²² μὲν τρισχιλίους στασιάζοντας, τοὺς ἄλλους δὲ πολίτας ἐκκεκηρυγμένους ἐκ τοῦ ἄστεος, τοὺς δὲ τριάκοντα μὴ τὴν αὐτὴν γνώμην ἔχοντας, πλείους δὲ ὅντας τοὺς ὑπὲρ ὑμῶν δεδιότας ἢ τοὺς ὑμῖν πολεμοῦντας, τότε ἥδη καὶ κατιέναι προσεδοκάτε καὶ παρὰ τῶν ἔχθρῶν λήψεσθαι δίκην. ταῦτα γὰρ τοῖς θεοῖς εὐχεσθε, ἅπερ ἐκείνους ἐωράτε ποιοῦντας, ἡγούμενοι διὰ τὴν τῶν τριάκοντα πονηρίαν πολὺ μᾶλλον σωθήσεσθαι ἢ διὰ τὴν τῶν φευγόντων δύναμιν κατιέναι. χρὴ τοίνυν, ὡς ἄνδρες δικα- ²³ σταί, τοῖς πρότερον γεγενημένοις παραδείγμασι χρωμένους βουλεύεσθαι περὶ τῶν μελλόντων ἔσεσθαι, καὶ τούτους ἡγεῖσθαι δημοτικωτάτους, οἵτινες ὁμονοεῖν ὑμᾶς βουλόμενοι τοῖς ὅρκοις καὶ ταῖς συνθήκαις ἐμμένουσι, νομίζοντες καὶ τῆς πόλεως ταύτην ἰκανωτάτην εἶναι σωτηρίαν καὶ τῶν ἔχθρῶν μεγίστην τιμωρίαν· οὐδὲν γὰρ ἀν εἴη αὐτοῖς χαλεπώτερον τούτων, ἢ πυνθάνεσθαι μὲν ἡμᾶς μετέχοντας τῶν πραγμάτων, αἰσθάνεσθαι δὲ οὕτως διακειμένους τοὺς πολίτας ὥσπερ μηδενὸς ἐγκλήματος πρὸς ἄλλήλους γεγενημένου. χρὴ δὲ εἰδέναι, ὡς ἄνδρες ²⁴ δικασταί, ὅτι οἱ φεύγοντες τῶν ἄλλων πολιτῶν ὡς πλείστους καὶ διαβεβλῆσθαι καὶ ἡτιμώσθαι βούλονται, ἐλπίζοντες τοὺς ὑφ' ὑμῶν ἀδικουμένους ἑαυτοῖς ἔσεσθαι συμμάχους, τοὺς δὲ συκοφάντας εὐδοκιμεῖν δέξαιντ' ἀν παρ' ὑμῖν καὶ μέγα δύνασθαι ἐν τῇ πόλει· τὴν γὰρ τούτων πονηρίαν ἑαυτῶν ἡγοῦνται σωτηρίαν.

25 ”Αξιον δὲ μυησθῆναι καὶ τῶν μετὰ τοὺς τετρακοσίους πραγμάτων· εὐ γὰρ εἴσεσθε ὅτι, ἀ μὲν οὗτοι συμβούλευοντες, οὐδεπώποτε ὑμῖν ἐλυσιτέλησεν, ἀ δ’ ἐγὼ παραινῶ, ἀμφοτέραις ἀεὶ ταῖς πολιτείαις συμφέρει. ἵστε γὰρ Ἐπιγένην καὶ Δημοφάνην καὶ Κλεισθένην ἵδιᾳ μὲν καρπωσαμένους τὰς τῆς πόλεως συμφοράς, δημοσίᾳ δὲ 26 ὄντας μεγίστων κακῶν αἰτίους. ἐνίων μὲν γὰρ ἔπεισαν ὑμᾶς ἀκρίτων θάνατον καταψηφίσασθαι, πολλῶν δὲ ἀδίκως δημεῦσαι τὰς οὐσίας, τοὺς δ’ ἐξελάσαι καὶ ἀτιμῶσαι τῶν πολιτῶν· τοιοῦτοι γὰρ ἦσαν ὥστε τοὺς μὲν ἡμαρτηκότας ἀργύριον λαμβάνοντες ἀφιέναι, τοὺς δὲ μηδὲν ἡδικηκότας εἰς ὑμᾶς εἰσιόντες ἀπολλύναι. καὶ οὐ πρότερον ἐπαύσαντο, ἕως τὴν μὲν πόλιν εἰς στάσεις καὶ τὰς μεγίστας συμφορὰς κατέστησαν, αὐτοὶ δ’ ἐκ πενή-
27 των πλούσιοι ἐγένοντο. ὑμεῖς δὲ οὕτως διετέθητε ὥστε τοὺς μὲν φεύγοντας κατεδέξασθε, τοὺς δ’ ἀτίμους ἐπιτίμους ἐποιήσατε, τοῖς δ’ ἄλλοις περὶ ὄμονοίας ὄρκους ὥμνυτε· τελευτῶντες δὲ ἥδιον ἀν τοὺς ἐν τῇ δημοκρατίᾳ συκοφαντοῦντας ἐτιμωρήσασθε ἢ τοὺς ἄρξαντας ἐν τῇ ὀλιγαρχίᾳ. καὶ εἰκότως, ὡς ἄνδρες δικασταί· πᾶσι γὰρ ἥδη φανερόν ἐστιν ὅτι διὰ τοὺς μὲν ἀδίκως πολιτευομένους ἐν τῇ ὀλιγαρχίᾳ δημοκρατία γίγνεται, διὰ δὲ τοὺς ἐν τῇ δημοκρατίᾳ συκοφαντοῦντας ὀλιγαρχία δις κατέστη· ὥστε οὐκ ἄξιον τούτοις πολλάκις χρῆσθαι συμβούλους,
28 οῖς οὐδὲ ἄπαξ ἐλυσιτέλησε πειθομένοις. σκέψασθαι δὲ χρὴ ὅτι καὶ τῶν ἐκ Πειραιῶς οἱ μεγίστην δόξαν ἔχοντες καὶ μάλιστα κεκινδυνευκότες καὶ πλεῖστα ὑμᾶς ἀγαθὰ εἰργασμένοι πολλάκις ἥδη τῷ ὑμετέρῳ πλήθει διεκελεύ-

σαντο τοῖς ὄρκοις καὶ ταῖς συνθήκαις ἐμμένειν, ἥγούμενοι ταύτην δημοκρατίας εἶναι φυλακήν· τοῖς μὲν γὰρ ἐξ ἄστεος ὑπὲρ τῶν παρεληλυθότων ἄδειαν ποιήσειν, τοῖς δ' ἐκ Πειραιῶς οὕτω πλεῖστον χρόνον τὴν πολιτείαν ἀν παραμεῖναι. οἷς ὑμεῖς πολὺ ἀν δικαιότερον ²⁹ πιστεύοιτε ἢ τούτοις, ὃν φεύγοντες μὲν δι' ἔτέρους ἐσώθησαν, κατελθόντες δὲ συκοφαντεῖν ἐπιχειροῦσιν. ἥγούμαι δέ, ὃ ἄνδρες δικασταί, τοὺς μὲν τὴν αὐτὴν γυνώμην ἔχοντας ἐμοὶ τῶν ἐν ἄστει μεινάντων φανεροὺς γεγενῆσθαι καὶ ἐν δημοκρατίᾳ καὶ ἐν ὀλιγαρχίᾳ, ὅποιοί τινές εἰσι πολῖται· τούτων δ' ἄξιον θαυμάζειν, ὅτι ἀν ἐποίησαν, εἴ τις αὐτοὺς εἴλασε τῶν τριάκοντα γενέσθαι, ὃν νῦν δημοκρατίας οὕσης ταῦτα ἐκείνοις πράττουσι, καὶ ταχέως μὲν ἐκ πενήτων πλούσιοι γεγένηνται, πολλὰς δὲ ἀρχὰς ἄρχοντες οὐδεμιᾶς εὐθύνην διδόασιν, ἀλλ' ἀντὶ μὲν ὁμονοίας ὑποψίαν πρὸς ἀλλήλους πεποιήκασιν, ἀντὶ δὲ εἰρήνης πόλεμον κατηγγέλκασι, διὰ τούτους δὲ ἄπιστοι τοῖς "Ελλησι γεγενήμεθα. καὶ τοσούτων κακῶν καὶ ἔτέρων ³¹ πολλῶν ὄντες αἴτιοι, καὶ οὐδὲν διαφέροντες τῶν τριάκοντα πλὴν ὅτι ἐκεῖνοι μὲν ὀλιγαρχίας οὕσης ἐπεθύμουν ὅνπερ οὗτοι, οὗτοι δὲ δημοκρατίας τῶν αὐτῶν ὅνπερ ἐκεῖνοι, ὅμως οἴονται χρῆναι οὕτω ράδίως ὃν ἀν βούλωνται κακῶς ποιεῖν, ὥσπερ τῶν μὲν ἄλλων ἀδικούντων, ἄριστοι δὲ ἄνδρες αὐτοὶ γεγενημένοι. καὶ τούτων ³² μὲν οὐκ ἄξιον θαυμάζειν, ἴμων δέ, ὅτι οἴεσθε μὲν δημοκρατίαν εἶναι, γίγνεται δὲ ὅτι ἀν οὗτοι βούλωνται, καὶ δίκην διδόασιν οὐχ οἱ τὸ ὑμέτερον πλῆθος ἀδικοῦντες, ἀλλ' οἱ τὰ σφέτερα αὐτῶν μὴ διδόντες. καὶ δέξαιντ' ἀν

μικρὰν εἶναι τὴν πόλιν μᾶλλον ἢ δι’ ἄλλους μεγάλην
 33 καὶ ἐλευθέραν, ἵγούμενοι νῦν μὲν διὰ τοὺς ἐκ Πειραιῶς
 [κινδύνους] αὐτοῖς ἐξεῖναι ποιεῖν ὅ τι ἀν βούλωνται, ἐὰν
 δ’ ὑστερον ὑμῖν δι’ ἑτέρους σωτηρία γένηται, τούτους
 μὲν ἐπιλύσεσθαι, ἐκείνους δὲ μεῖζον δυνήσεσθαι. ὥστε
 τοῦτ’ αὐτὸ δείσαντες ἐμποδών εἰσιν, ἐάν τι δι’ ἄλλων
 34 ἀγαθὸν ὑμῖν φαίνηται. τοῦτο μὲν οὖν οὐ χαλεπὸν τῷ
 βουλομένῳ κατανοῆσαι. αὐτοί τε γὰρ οὐκ ἐπιθυμοῦσι
 λανθάνειν, ἀλλ’ αἰσχύνονται μὴ δοκοῦντες εἶναι πονηροί,
 ὑμεῖς δὲ τὰ μὲν αὐτοὶ ὄρατε τὰ δ’ ἑτέρων πολλῶν ἀκού-
 ετε. ἡμεῖς δέ, ὡς ἄνδρες δικασταί, δίκαιον μὲν ἵγούμεθ’
 εἶναι πρὸς πάντας ὑμᾶς τοὺς πολίτας ταῖς συνθήκαις
 35 καὶ τοῖς ὄρκοις ἐμμένειν, ὅμως δέ, ὅταν μὲν ἴδωμεν τοὺς
 τῶν κακῶν αἰτίους δίκην διδόντας, τῶν τότε περὶ ὑμᾶς
 γεγενημένων μεμνημένοι συγγνώμην ἔχομεν, ὅταν δὲ
 φανεροὶ γένησθε τοὺς μηδὲν αἰτίους ἐξ ἵσου τοῖς ἀδι-
 κοῦσι τιμωρούμενοι, τῇ αὐτῇ ψήφῳ πάντας ἡμᾶς εἰς ὑπο-
 [ψίαν καταστήσετε . . .]

VII.

ΑΡΕΟΠΑΓΙΤΙΚΟΣ.

ΠΕΡΙ ΤΟΥ ΣΗΚΟΥ ΑΠΟΛΟΓΙΑ.

ΠΡΟΤΕΡΟΝ μέν, ὃ βουλή, ἐνόμιζον ἔξεῖναι τῷ βουλομένῳ, ἡσυχίαν ἄγοντι, μήτε δίκας ἔχειν μήτε πράγματα· νυνὶ δὲ οὕτως ἀπροσδοκήτοις αἰτίαις καὶ πονηροῖς συκοφάνταις περιπέπτωκα, ὥστ' εἴ πως οἶόν τε, δοκεῖ μοι δεῖν καὶ τοὺς μὴ γεγονότας ἥδη δεδιέναι περὶ τῶν μελλόντων ἔσεσθαι· διὰ γὰρ τοὺς τοιούτους οἱ κίνδυνοι κοινοὶ γίγνονται καὶ τοῖς μηδὲν ἀδικοῦσι καὶ τοῖς πολλὰ ἡμαρτηκόσιν. οὕτω δ' ἄπορος ὁ ἀγών μοι καθέστηκεν, ὥστε ἀπεγράφην τὸ μὲν πρῶτον ἐλαίαν ἐκ τῆς γῆς ἀφανίζειν, καὶ πρὸς τοὺς ἐωνημένους τοὺς καρποὺς τῶν μοριῶν πυνθανόμενοι προσήσαν· ἐπειδὴ δ' ἐκ τούτου τοῦ τρόπου ἀδικοῦντά με οὐδὲν εύρειν ἐδυνήθησαν, νυνὶ με σηκόν φασιν ἀφανίζειν, ἡγούμενοι ἐμοὶ μὲν ταύτην τὴν αἰτίαν ἀπορωτάτην εἶναι ἀπελέγξαι, αὐτοῖς δὲ ἔξεῖναι μᾶλλον ὅ τι ἀν βούλωνται λέγειν. καὶ δεῖ με, περὶ ὃν οὗτος ἐπιβεβουλευκὼς ἥκει, ἀμὲν ὑμῖν τοῖς διαγνωσομένοις περὶ τοῦ πράγματος ἀκούσαντα καὶ περὶ τῆς πατρίδος καὶ περὶ τῆς οὐσίας ἀγωνίσασθαι. ὅμως δὲ πειράσομαι ἐξ ἀρχῆς ὑμᾶς διδάξαι. ³ Ήν μὲν γὰρ τοῦτο Πεισάνδρου τὸ χωρίον, δημευθέντων δὲ τῶν ἐκείνουν Ἀπολλόδωρος ὁ Μεγαρεὺς δωρεὰν παρὰ τοῦ δήμου

λαβὼν τὸν μὲν ἄλλον χρόνον ἐγεώργει, ὀλίγῳ δὲ πρὸ τῶν τριάκοντα Ἀντικλῆς παρ' αὐτοῦ πριάμενος ἐξεμίσθωσεν· ἐγὼ δὲ παρ' Ἀντικλέους εἰρήνης οὕσης ὡνούμαι. ἥγοῦμαι τοίνυν, ὡς Βουλή, ἐμὸν ἔργον ἀποδεῖξαι ὡς, ἐπειδὴ τὸ χωρίον ἐκτησάμην, οὔτ' ἐλαία οὔτε σηκὸς ἐνῆν ἐν αὐτῷ. νομίζω γὰρ τοῦ μὲν προτέρου χρόνου, οὐδὲ εἰ πάλαι ἐνῆσαν μορίαι, οὐκ ἀν δικαίως ζημιούσθαι· εἰ γὰρ μὴ δὶς ἡμᾶς εἰσιν ἡφανισμέναι, οὐδὲν προσήκει περὶ τῶν ἀλλοτρίων ἀμαρτημάτων ὡς ἀδικοῦντας κινδυνεύειν. πάντες γάρ ἐπίστασθε ὅτι ὁ πόλεμος καὶ ἄλλων πολλῶν αἴτιος κακῶν γεγένηται, καὶ τὰ μὲν πόρρω ὑπὸ Λακεδαιμονίων ἐτέμνετο, τὰ δὲ ἐγγὺς ὑπὸ τῶν φίλων διηρπάζετο· ὥστε πῶς ἀν δικαίως ὑπὲρ τῶν τῆς πόλει γεγενημένων συμφορῶν ἐγὼ νῦν δίκην διδοίην; ἄλλως τε καὶ τοῦτο τὸ χωρίον ἐν τῷ πολέμῳ δημευθὲν ἄπρακτον ἦν πλεῖν ἢ τρία ἔτη. οὐ θαυμαστὸν δὲ εἰ τότε τὰς μορίας ἐξέκοπτον, ἐν ὧ οὐδὲ τὰ ἡμέτερα αὐτῶν φυλάττειν ἡδυνάμεθα. ἐπίστασθε δέ, ὡς Βουλή, δισφ μάλιστα τῶν τοιούτων ἐπιμελεῖσθε, πολλὰ ἐν ἐκείνῳ τῷ χρόνῳ δασέα ὄντα ἰδίαις καὶ μορίαις ἐλαίαις, ὃν νῦν τὰ πολλὰ ἐκκέκοπται καὶ ή γῆ ψιλὴ γεγένηται· καὶ τῶν αὐτῶν καὶ ἐν τῇ εἰρήνῃ καὶ ἐν τῷ πολέμῳ κεκτημένων οὐκ ἀξιοῦτε παρ' αὐτῶν, ἐτέρων ἐκκοψάντων, δίκην λαμβάνειν. καίτοι εἰ τοὺς διὰ παντὸς τοῦ χρόνου γεωργοῦντας τῆς αἰτίας ἀφίετε, ἢ που χρὴ τούς γένεται εἰρήνη πριαμένους ἀφ' ὑμῶν ἀζημίους γενέσθαι.

9. Ἀλλὰ γάρ, ὡς Βουλή, περὶ μὲν τῶν πρότερον γεγενημένων πολλὰ ἔχων εἰπεῖν ἵκανὰ νομίζω τὰ εἰρημένα·

ἐπειδὴ δ' ἐγὼ παρέλαβον τὸ χωρίον, πρὶν ἡμέρας πέντε γενέσθαι, ἀπεμίσθωσα Καλλιστράτῳ, ἐπὶ Πυθοδώρου ἄρχοντος· ὃς δύο ἔτη ἐγεώργησεν, οὕτε ἰδίαν ἐλαίαν οὕτε μορίαν οὕτε σηκὸν παραλαβών. τρίτῳ δὲ ἔτει Δημήτριος οὗτοσὶ εἰργάσατο· τῷ δὲ τετάρτῳ Ἀλκίᾳ Ἀντισθένους ἀπελευθέρῳ ἐμίσθωσα, ὃς τέθνηκε· κατὰ τρία ἔτη ὁμοίως καὶ Πρωτέας ἐμισθώσατο. Καί μοι δεῦρο ἔτει μάρτυρες.

ΜΑΡΤΥΡΕΣ.

Ἐπειδὴ τοίνυν ὁ χρόνος οὗτος ἐξήκει, αὐτὸς γεωργῶ. ⁱⁱ φησὶ δὲ ὁ κατήγορος ἐπὶ Σουνιάδου ἄρχοντος σηκὸν ὑπ' ἐμοῦ ἐκκεκόφθαι. ὑμῖν δὲ μεμαρτυρήκασιν οἱ πρότερον ἐργαζόμενοι καὶ πολλὰ ἔτη παρ' ἐμοῦ μεμισθωμένοι μὴ εἶναι σηκὸν ἐν τῷ χωρίῳ. καίτοι πῶς ἀν τις φανερωτέρως ἐξελέγξειε ψευδόμενον τὸν κατήγορον; οὐ γὰρ οἶόν τε, ἂ πρότερον μὴ ἦν, ταῦτα τὸν ὕστερον ἐργαζόμενον ἀφανίζειν.

Ἐγὼ τοίνυν, ὁ Βουλή, ἐν μὲν τῷ τέως χρόνῳ, ὅσοι ⁱⁱ με φύσκοιεν δεινὸν εἶναι καὶ ἀκριβῆ καὶ οὐδὲν ἀν εἰκῆ καὶ ἀλογίστως ποιῆσαι, ἡγανάκτουν ἀν, αἰρούμενος μᾶλλον λέγεσθαι ὡς μοι προσῆκε· νῦν δὲ πάντας ἀν ὑμᾶς βουλοίμην περὶ ἐμοῦ ταύτην τὴν γνώμην ἔχειν, ἵνα ἡγῆσθέ με σκοπεῖν, εἴπερ τοιούτοις ἔργοις ἐπεχείρουν, καὶ ὃ τι κέρδος ἐγίγνετο [τῷ] ἀφανίσαντι καὶ ἡτις ζημίᾳ [τῷ] περιποιήσαντι, καὶ τί ἀν λαθὼν διεπραξάμην καὶ τί ἀν φανερὸς γενόμενος ὑφ' ὑμῶν ἔπασχον. πάντες ⁱⁱ γὰρ ἀνθρωποι τὰ τοιαῦτα οὐχ ὕβρεως ἀλλὰ κέρδους

ένεκα ποιούσι· καὶ ύμᾶς εἰκὸς οὕτω σκοπεῖν, καὶ τοὺς
 ἀντιδίκους ἐκ τούτων τὰς κατηγορίας ποιεῖσθαι, ἀπο-
 14 φαίνοντας ἡτις ὡφέλεια τοῖς ἀδικήσασιν ἐγίγνετο. οὐ-
 τος μέντοι οὐκ ἀν ἔχοι ἀποδεῖξαι οὕθ' ὡς ὑπὸ πενίας
 ἡναγκάσθην τοιούτοις ἔργοις ἐπιχειρεῖν, οὕθ' ὡς τὸ χω-
 ρίον μοι διαφθείρεται τοῦ σηκοῦ ὄντος, οὕθ' ὡς ἀμπέ-
 λοις ἐμποδὼν ἦν, οὕθ' ὡς οἰκίας ἐγγύς, οὕθ' ὡς ἐγὼ
 ἅπειρος τῶν παρ' ὑμῶν κινδύνων. ἐγὼ δέ, εἴ τι τοιοῦτον
 ἔπραττον, πολλὰς ἀν καὶ μεγάλας ἐμαυτῷ ζημίας γενο-
 15 μέναις ἀποφίγναιμι. ὃς πρῶτον μὲν μεθ' ἡμέραν ἐξέκο-
 πτον τὸν σηκόν, ὥσπερ οὐ πάντας λαθεῖν δέον, ἀλλὰ
 πάντας Ἀθηναίους εἰδέναι. καὶ εἴ μὲν αἰσχρὸν ἦν μόνον
 τὸ πρᾶγμα, ἵσως ἀν τις τῶν παριόντων ἡμέλησε· νῦν δ'
 οὐ περὶ αἰσχύνης ἀλλὰ τῆς μεγίστης ζημίας ἐκινδύνευον.
 16 πῶς δ' οὐκ ἀν ἦν ἀθλιώτατος ἀνθρώπων ἀπάντων, εἰ
 τοὺς ἐμαυτοῦ θεράποντας μηκέτι δούλους ἔμελλον ἔξειν
 ἀλλὰ δεσπότας τὸν λοιπὸν βίον, τοιοῦτον ἔργον συνει-
 δότας; ὥστε εἴ καὶ τὰ μέγιστα εἰς ἐμὲ ἐξημάρτανον,
 οὐκ ἀν οἶός τε ἦν δίκην παρ' αὐτῶν λαμβάνειν· εὖ γὰρ
 ἀν ἥδειν ὅτι ἐπ' ἐκείνοις ἦν καὶ ἐμὲ τιμωρήσασθαι καὶ
 17 αὐτοῖς μηνύσασιν ἐλευθέροις γενέσθαι. ἔτι τοίνυν εἴ
 τῶν οἰκετῶν παρέστη μοι μηδὲν φροντίζειν, πῶς ἀν ἐτόλ-
 μησα τοσούτων μεμισθωμένων καὶ ἀπάντων συνειδότων
 ἀφανίσαι τὸν σηκὸν βραχέος μὲν κέρδους ἔνεκα, προ-
 θεσμίας δὲ οὐδεμιᾶς οὕσης τῷ κινδύνῳ τοῖς εἰργασμένοις
 ἀπασι τὸ χωρίον ὁμοίως προσῆκον εἶναι σῶν τὸν σηκόν,
 ἵν' εἴ τις αὐτοὺς ἤτιάτο, εἶχον ἀνενεγκεῖν ὅτῳ παρέδο-
 σαν; νῦν δὲ καὶ ἐμὲ ἀπολύσαντες φαίνονται, καὶ σφᾶς

αὐτούς, εἴπερ ψεύδονται, μετόχους τῆς αἰτίας καθιστάντες. εἰ τοίνυν καὶ ταῦτα παρεσκευασάμην, πῶς ἀν οἷός 18 τ' ἦν πάντας πεῖσαι τοὺς παριόντας, ἢ τοὺς γείτονας, οἱ οὐ μόνον ἀλλήλων ταῦτ' ἵσασιν ἢ πᾶσιν ὅρâν ἔξεστιν, ἀλλὰ καὶ περὶ ὧν ἀποκρυπτόμενοι οἰόμεθα μηδένα εἰδέναι, καὶ περὶ ἐκείνων πυνθάνονται; ἐμοὶ τοίνυν τούτων οἱ μὲν φίλοι οἱ δὲ διάφοροι περὶ τῶν ἐμῶν τυγχάνουσιν ὅντες. οὓς ἔχρην τοῦτον παρασχέσθαι μάρτυρας, καὶ 19 μὴ μόνον οὕτως τολμηρὰς κατηγορίας ποιεῖσθαι· ὃς φησιν ὡς ἐγὼ μὲν παρειστήκειν, οἱ δ' οὐκέται ἔξέτεμνον τὰ πρέμνα, ἀναθέμενος δὲ ὁ Βοηλάτης ὥχετο ἀπάγων τὰ ξύλα. καίτοι, ὡς Νικόμαχε, χρῆν σε τότε καὶ παρ- 20 καλεῖν τοὺς παριόντας μάρτυρας, καὶ φανερὸν ποιεῖν τὸ πρᾶγμα· καὶ ἐμοὶ μὲν οὐδεμίαν ἀν ἀπολογίαν ὑπέλιπες, αὐτὸς δέ, εἰ μέν σοι ἐχθρὸς ἦν, ἐν τούτῳ τῷ τρόπῳ ἥσθα ἀν με τετιμωρημένος, εἰ δὲ τῆς πόλεως ἐνεκα ἔπραττες, οὕτως ἔξελέγξας οὐκ ἀν ἐδόκεις εἶναι συκοφάντης, εἰ δὲ κερδαίνειν ἐβούλου, τότ' ἀν πλεῖστον ἔλα- 21 βες· φανεροῦ γὰρ ὅντος τοῦ πράγματος οὐδεμίαν ἄλλην ἡγούμην ἀν εἶναι μοι σωτηρίαν ἢ σὲ πεῖσαι. τούτων τοίνυν οὐδὲν ποιήσας διὰ τοὺς σοὺς λόγους ἀξιοῖς με ἀπολέσθαι, καὶ κατηγορεῖς ὡς ὑπὸ τῆς ἐμῆς δυνάμεως καὶ τῶν ἐμῶν χρημάτων οὐδεὶς ἐθέλει σοι μαρτυρεῖν. 22 καίτοι εἰ φήνας μ' ἵδων τὴν μορίαν ἀφανίζοντα τοὺς ἐννέα ἄρχοντας ἐπήγαγες ἢ ἄλλους τινὰς τῶν ἐξ Ἀρείου πάγου, οὐκ ἀν ἐτέρων ἔδει σοι μαρτύρων· οὕτω γὰρ ἀν σοι συνήδεσαν ἀληθῆ λέγοντι, οἵπερ καὶ διαγιγνώσκειν ἔμελλον περὶ τοῦ πράγματος. δεινότατα οὖν πάσχω, 23

ὅσῳ εὶ μὲν παρέσχετο μάρτυρας, τούτοις ἀν ἡξίου πι-
στεύειν, ἐπειδὴ δὲ οὐκ εἰσὶν αὐτῷ, ἐμοὶ καὶ ταύτην τὴν
ξημίαν οἴεται χρῆναι γενέσθαι. καὶ τούτου μὲν οὐ
θαυμάζω· οὐ γὰρ δίπου συκοφαντῶν ἄμα τοιούτων τε
λόγων ἀπορήσει καὶ μαρτύρων· ὑμᾶς δ' οὐκ ἀξιῶ τὴν
24 αὐτὴν τούτῳ γνώμην ἔχειν. ἐπίστασθε γὰρ ἐν τῷ πεδίῳ
πολλὰς μορίας οὔσας καὶ πυρκαιὰς ἐν τοῖς ἄλλοις τοῖς
ἐμοῖς χωρίοις, ἃς, εἴπερ ἐπεθύμουν, πολὺ ἦν ἀσφαλέστε-
ρον καὶ ἀφανίσαι καὶ ἐκκόψαι καὶ ἐπεργάσασθαι, ὅσῳ-
περ ἥττον τὸ ἀδίκημα πολλῶν οὐσῶν ἔμελλε δῆλον
25 ἔσεσθαι. νῦν δ' οὔτως αὐτὰς περὶ πολλοῦ ποιοῦμαι
ὅσπερ [καὶ τὴν πατρίδα] καὶ τὴν ἄλλην οὐσίαν, ἥγού-
μενος περὶ ἀμφοτέρων τούτων εἶναι μοι τὸν κίνδυνον.
αὐτοὺς τοίνυν ὑμᾶς τούτων μάρτυρας παρέξομαι, ἐπιμε-
λουμένους μὲν ἑκάστου μηνός, γνώμονας δὲ πέμποντας
καθ' ἕκαστον ἐνιαυτόν. ὅν οὐδεὶς πώποτ' ἔξημίωσέ μ' ὡς
26 ἐργαζόμενον τὰ περὶ τὰς μορίας χωρία. καίτοι οὐ δή-
που τὰς μὲν μικρὰς ξημίας οὔτω περὶ πολλοῦ ποιοῦμαι,
τοὺς δὲ περὶ τοῦ σώματος κινδύνους [οὔτω] περὶ οὐδε-
νὸς ἥγοῦμαι· καὶ τὰς μὲν πολλὰς ἐλαίας, εἰς ἃς ἔξην
μᾶλλον ἔξαμαρτάνειν, οὔτω θεραπεύων φαίνομαι, τὴν δὲ
μορίαν, ἥν οὐχ οἶόν τ' ἦν λαθεῖν ἔξορύξαντα, ώς ἀφανί-
27 ξων νυνὶ κρίνομαι; Πότερον δέ μοι κρείττον ἥν, ὁ
βουλή, δημοκρατίας οὔσης παρανομεῖν ἢ ἐπὶ τῶν τριά-
κοντα; καὶ οὐ λέγω ώς τότε δυνάμενος ἢ ώς νῦν διαβε-
βλημένος, ἀλλ' ώς τῷ βουλομένῳ τότε μᾶλλον ἔξην
ἀδικεῖν ἢ νυνί. ἐγὼ τοίνυν οὐδ' ἐν ἐκείνῳ τῷ χρόνῳ
οὔτε τοιοῦτον οὔτε ἄλλο οὐδὲν κακὸν ποιήσας φανήσο-

μαι. Πῶς δ' ἄν, εἰ μὴ πάντων ἀνθρώπων ἐμαυτῷ κα- 28
 κονούστατος ἦν, ὑμῶν οὕτως ἐπιμελουμένων ἐκ τούτου
 τὴν μορίαν ἀφανίζειν ἐπεχείρησα τοῦ χωρίου, ἐν ᾧ δέν-
 δρον μὲν οὐδὲ ἐν ἐστι, μᾶς δὲ ἐλαίας σηκός, ὡς οὗτός
 φησιν εἶναι, κυκλόθεν δὲ ὁδὸς περιέχει, ἀμφοτέρωθεν δὲ
 γείτονες περιοικοῦσιν, ἀερκτον δὲ καὶ πανταχόθεν κα-
 τοπτόν ἐστιν; ὥστε τίς ἄν ἀπετόλμησε, τούτων οὕτως
 ἔχοντων, ἐπιχειρῆσαι τοιούτῳ πράγματι; Δεινὸν δέ μοι 29
 δοκεῖ εἶναι ὑμᾶς μέν, οἵς ὑπὸ τῆς πόλεως τὸν ἄπαντα
 χρόνον προστέτακται τῶν μοριῶν ἐλαῖων ἐπιμελεῖσθαι,
 μήθ' ὡς ἐπεργαζόμενον πώποτε ζημιώσαι με μήθ' ὡς
 ἀφανίσαντα εἰς κίνδυνον καταστῆσαι, τοῦτον δ', ὃς οὔτε
 γεωργῶν ἐγγὺς τυγχάνει οὔτ' ἐπιμελητὴς ἥρημένος οὔτ'
 ἥλικιαν ἔχων εἰδέναι περὶ τῶν τοιούτων, ἀπογράψαι με
 μορίαν ἀφανίζειν.

Ἐγὼ τοίνυν δέομαι ὑμῶν μὴ τοὺς τοιούτους λόγους 30
 πιστοτέρους ἡγήσασθαι τῶν ἔργων, μηδὲ περὶ ὧν αὐτοὶ
 σύνιστε, ταῦτ' ἀνασχέσθαι τῶν ἐμῶν ἔχθρῶν λεγόντων,
 ἐνθυμουμένους καὶ ἐκ τῶν εἰρημένων καὶ ἐκ τῆς ἄλλης
 πολιτείας. ἐγὼ γὰρ τὰ ἐμοὶ προστεταγμένα ἄπαντα 31
 προθυμότερον πεποίηκα, ὡς ὑπὸ τῆς πόλεως ἡναγκαζό-
 μην, καὶ τριηραρχῶν καὶ εἰσφορὰς εἰσφέρων καὶ χορηγῶν
 καὶ τάλλα λειτουργῶν οὐδενὸς ἥττον πολυτελῶς τῶν
 πολιτῶν. καίτοι ταῦτα μὲν μετρίως ποιῶν ἀλλὰ μὴ 32
 προθύμως οὔτ' ἄν περὶ φυγῆς οὔτ' ἄν περὶ τῆς ἄλλης οὐ-
 σίας ἡγωνιζόμην, πλείω δ' ἄν ἐκεκτήμην, οὐδὲν ἀδικῶν
 οὐδ' ἐπικίνδυνον ἐμαυτῷ καταστήσας τὸν βίον· ταῦτα
 δὲ πράξας, ἡ οὗτός μου κατηγορεῖ, ἐκέρδαινον μὲν οὐδέν,

33 ἐμαυτὸν δ' εἰς κίνδυνον καθίστην. καίτοι πάντες ἀν
όμολογήσαιτε δικαιότερον εἶναι τοῖς μεγάλοις χρῆσθαι
τεκμηρίους περὶ τῶν μεγάλων, καὶ πιστότερα ἡγεῖσθαι
περὶ ὧν ἄπασα ἡ πόλις μαρτυρεῖ, μᾶλλον ἢ περὶ ὧν
μόνος οὗτος κατηγορεῖ.

34 "Ετι τοίνυν, ὡς βουλή, ἐκ τῶν ἄλλων σκέψασθε.
μάρτυρας γὰρ ἔχων αὐτῷ προσῆλθον, λέγων ὅτι μοι
πάντες εἰσὶν οἱ θεράποντες, οὓς ἐκεκτήμην, ἐπειδὴ παρέ-
λαβον τὸ χωρίον, καὶ ἔτοιμός εἰμι, εἴ τινα βούλοιτο, πα-
ραδοῦναι βασανίζειν, ἡγούμενος οὕτως ἀν τὸν ἔλεγχον
ἰσχυρότερον γενέσθαι τῶν τούτου λόγων καὶ τῶν ἔργων
35 τῶν ἐμῶν. οὗτος δ' οὐκ ἥθελεν, οὐδὲν φάσκων πιστὸν
εἶναι τοῖς θεράπονσιν. ἐμοὶ δὲ δοκεῖ δεινὸν εἶναι, εἰ
περὶ αὐτῶν μὲν οἱ βασανίζόμενοι κατηγοροῦσιν, εὖ εἰδότες
ὅτι ἀποθανοῦνται, περὶ δὲ τῶν δεσποτῶν, οἷς πεφύκασι
κακονούστατοι, μᾶλλον ἀν εἴλοντο ἀνέχεσθαι βασανίζό-
μενοι ἢ κατειπόντες ἀπηλλάχθαι τῶν παρόντων κακῶν.
36 καὶ μὲν δή, ὡς βουλή, φανερὸν οἶμαι εἶναι ὅτι, εἰ Νικο-
μάχου ἐξαιτοῦντος τοὺς ἀνθρώπους μὴ παρεδίδουν, ἐδό-
κουν ἀν ἐμαυτῷ συνειδέναι. ἐπειδὴ τοίνυν ἐμοῦ παρα-
διδόντος οὗτος παραλαβεῖν οὐκ ἥθελε, δίκαιον καὶ περὶ
τούτου τὴν αὐτὴν γνώμην σχεῖν, ἄλλως τε καὶ τοῦ κιν-
37 δύνου οὐκ ἵσου ἀμφοτέροις ὅντος. περὶ ἐμοῦ μὲν γὰρ
εἰ ἔλεγον, ἂν οὗτος ἐβούλετο, οὐδ' ἀν ἀπολογήσασθαι
μοι ἐξεγένετο. τούτῳ δ' εἰ μὴ ὡμολόγουν, οὐδεμιᾶς ζη-
μίᾳ ἔνοχος ἦν. ὥστε πολὺ μᾶλλον τοῦτον παραλαμβά-
νειν ἐχρῆν ἢ ἐμὲ παραδοῦναι προσῆκεν. ἐγὼ τοίνυν εἰς
τοῦτο προθυμίας ἀφικόμην, ἡγούμενος μετ' ἐμοῦ εἶναι

καὶ ἐκ βασύνων καὶ ἐκ μαρτύρων καὶ ἐκ τεκμηρίων ὑμᾶς περὶ τοῦ πράγματος τάληθή πυθέσθαι. ἐνθυμεῖσθαι δὲ 38 χρή, ὡς βουλή, ποτέροις χρὴ πιστεύειν μᾶλλον, οἷς πολλοὶ μεμαρτυρίκασιν ἢ ὡς μηδεὶς τετόλμηκε, καὶ πότερον εἰκὸς μᾶλλον τοῦτον ἀκινδύνως ψεύδεσθαι ἢ μετὰ τοσούτου κινδύνου τοιοῦτον ἐμὲ ἔργον ἐργάσασθαι, καὶ πότερον οὐεσθε αὐτὸν ὑπὲρ τῆς πόλεως βοηθεῖν ἢ συκοφαντοῦντα αἰτιάσασθαι; ἐγὼ μέν [ἔγνωκέναι] ὑμᾶς 39 ἡγοῦμαι ὅτι Νικόμαχος ὑπὸ τῶν ἔχθρῶν πεισθεὶς τῶν ἔμων τοῦτον τὸν ἀγῶνα ἀγωνίζεται, οὐχ ὡς ἀδικοῦντα ἐλπίζων ἀποδείξειν, ἀλλ’ ὡς ἀργύριον παρ’ ἐμοῦ λήψεσθαι προσδοκῶν. ὅσῳ γὰρ οἱ τοιοῦτοί εἰσιν ἐπαιτιώτατοι καὶ ἀπορώτατοι τῶν κινδύνων, τούτῳ πάντες αὐτοὺς φεύγουσι μάλιστα. ἐγὼ δέ, ὡς βουλή, οὐκ ἡξίουν, ἀλλ’ 40 ἐπειδήπερ με ἡτιάσατο, παρέσχον ἐμαυτὸν ὅ τι βούλεσθε χρῆσθαι, καὶ τούτου ἔνεκα τοῦ κινδύνου οὐδεὶν ἐγὼ τῶν ἔχθρῶν διηλλάγην, διὸ ἐμὲ ἥδιον κακῶς λέγουσιν ἢ σφᾶς αὐτοὺς ἐπαινοῦσι, καὶ φανερῶς μὲν οὐδεὶς πώποτε ἐμὲ αὐτῶν ἐπεχείρησε ποιῆσαι κακὸν οὐδέν, τοιούτους δὲ ἐπιπέμπουσί μοι, οἷς ὑμεῖς οὐκ ἀν δικαίως πιστεύοιτε. πάντων γὰρ ἀν ἀθλιώτατος γενοίμην, εἰ 41 φυγὰς ἀδίκως καταστήσομαι, ἅπαις μὲν ὅν καὶ μόνος, ἐρήμου δὲ τοῦ οἴκου γενομένου, μητρὸς δὲ πάντων ἐνδεοῦς, πατρίδος δὲ τοιαύτης ἐπ’ αἰσχίσταις στερηθεὶς αἰτίαις, πολλὰς μὲν ναυμαχίας ὑπὲρ αὐτῆς νεναυμαχηκώς, πολλὰς δὲ μάχας μεμαχημένος, κόσμιον δὲ ἐμαυτὸν καὶ ἐν δημοκρατίᾳ καὶ ἐν ὀλυγαρχίᾳ παρασχών.

’Αλλὰ γάρ, ὡς βουλή, ταῦτα μὲν ἐνθάδε οὐκ οἶδ’ ὅ 42

τι δεῖ λέγειν· ἀπέδειξα δ' ὑμῖν ὡς οὐκ ἐνῆν σηκὸς ἐν τῷ χωρίῳ, καὶ μάρτυρας παρεσχόμην καὶ τεκμήρια. ἀλλὰ χρὴ μεμνημένους διαγιγνώσκειν περὶ τοῦ πράγματος, καὶ ἀξιοῦν παρὰ τούτου πυθέσθαι ὅτου ἔνεκα, ἐξὸν ἐπ' αὐτοφώρῳ ἐλέγξαι, τοσούτῳ χρόνῳ ὕστερον εἰς τοσοῦτόν
 43 με κατέστησεν ἀγῶνα, καὶ μάρτυρα οὐδένα παρασχόμενος ἐκ τῶν λόγων ζητεῖ πιστὸς γενέσθαι, ἐξὸν αὐτοῖς τοῖς ἔργοις ἀδικοῦντα ἀποδεῖξαι, καὶ ἐμοῦ ἀπαντας διδόντος τοὺς θεράποντας, οὓς φησι παραγενέσθαι, παραλαβεῖν οὐκ ἥθελεν.

BIOGRAPHICAL INTRODUCTION.

NOTE.—This general Introduction, and those which are specially connected with the several Orations, although freely combining material from various sources, are indebted especially to the admirable *Einleitungen* of DR. R. RAUCHENSTEIN, in his *Sechste Verbesserte Auflage*.

LYSIAS was born at Athens, most probably, according to K. F. Hermann's view, b. c. 444, or eight years before Isocrates, who by all accounts is represented as somewhat his junior. There he received his education together with the noblest of the Athenians, and there also he died, b. c. 378. Compare Cicero's remark, "Est enim Atticus, quoniam certe Athenis est et natus et mortuus et functus omni civium munere." (*Brut.* 16, 63.) His father was Cephalus of Syracuse, who, through Pericles's advice, had emigrated to Athens, about 447. Curtius says of Cephalus, that he was "a man of property and consideration, whose ancestors had distinguished themselves in the struggle against the tyrants of his native city, and in whose house a higher class of studies were eagerly cultivated. For thirty years he dwelt in the Piræus, and both in his manhood and old age was the type of piety and wisdom. He was devoted with his whole heart to the Periclean state to which he belonged as a resident alien, so that he accounted it an honor to undertake costly service in its behalf; and his hospitable house was a meeting-place of men of the most distinguished intellectual gifts."—*Hist. Greece*, II. p. 547. Such were the influences amidst which Lysias grew to manhood.

After the death of his father, he was attracted, with his brothers Polemarchus and Euthydemus, to Thurii in Lower Italy, about 417. Here, in the vicinity of the ancient and ruined Sybaris, a flourishing city had sprung up, laid out after the model of the

Piræus, and by the same Hippodamus whom Pericles had employed to lay out and beautify the port of Athens. Here, under a democratical constitution, such was the growth of the colony that many distinguished men were attracted from all quarters.

Here Lysias came under the influence of the Sicilian school of oratory, as led by Tisias of Syracuse. The style of this school was characterized by sharp antitheses, by elaborate parallelisms in the construction of sentences, by alliterations, and similar artificialities. In this style Lysias produced some compositions. But the mannerism of such a style, although well enough adapted to excite admiration in exhibitions of rhetorical skill, was less fitted for effective service in the encounters of the courts and the popular assemblies. Yet the straightforward practical address necessary for a statesman and an advocate can occasionally make profitable use of the ornaments of speech on which the rhetorician places more reliance; and so far Lysias's training in the Sicilian school brought some advantage to his later practice at Athens.

Lysias lived in prosperity at Thurii until the overthrow of the Athenian armament in Sicily, in 413. This occasioned the overthrow of the democratic constitution of Thurii, and the expulsion of the Athenian party, including Lysias and his brother Polemarchus, with whom three hundred others were obliged to flee.

The two brothers returned to Athens in 412 or 411, and during the next seven years resided in Piræus enjoying a period of prosperity. Though not possessing the rights of citizenship, they possessed the *isotely* (see *General Note* to the Oration against Eratosthenes, 9, *Metæcus*), and the business which they pursued was likely to be profitable in that time of war,—the manufacture of shields, in which they employed one hundred and twenty slaves. The capture of the city early in 404, and the inauguration of the despotism of the Thirty, found them the holders of a considerable property, of which they were despoiled by the tyrants, and Polemarchus was put to death, while Lysias made his escape to Megara. Having co-operated with liberal contributions and effective service

to the expulsion of the usurpers, Lysias had no sooner seen the ancient constitution restored, than he proceeded to prosecute Eratosthenes for his brother's murder.

Whether he gained this case or not,—on which point we have no testimony,—the undertaking proved eventful to Lysias as the beginning of a new career. To this, not improbably, his now reduced circumstances, together with his previous studies, may have inclined him. He now became a *λογογράφος*, or writer of speeches, which his clients in pleading their own causes delivered from memory (see *General Note* to the Oration against Eratosthenes, 4, *Synegorus*).

On the motion of Thrasybulus, a decree had been adopted conferring upon Lysias the privilege of citizenship, in recognition of his distinguished services to the state. But this decree having been cancelled for informality, in having been passed by the assembly without the previous assent of the senate (*προβούλευμα*), was never renewed. Having thus failed of obtaining that civic standing in which alone he could exercise his gifts as a popular speaker (*ρήτωρ*) in the assembly, Lysias had no opportunity to attain the distinction in that capacity of which his plea against Eratosthenes had given promise. But his orations have, perhaps, thereby become none the less interesting to us, such is the greater variety of subject and manner which they present, corresponding to the variety of circumstances and persons for which they were prepared.

It was highly important that the persons who delivered from memory the orations which professional pens had written for them should seem to speak out of their own individuality. For, so far as their speeches should appear to bear the stamp of another mind, so far the impression upon their judges would be unfavorable. Accordingly, the speech-writer needed to study the persons for whom he wrote, as well as their causes, and to adapt each address to the characteristics as well as the circumstances of the speaker. This Lysias has done in such a way that, without introducing

unessential matter, or speaking otherwise than in the purest Attic, he has made each oration a “character-picture,” a work of art expressing the personality of the speaker. Dionysius says of him in this respect: “He was by far the best of all orators in discerning the nature of men, and in attributing to each their appropriate feelings and manners and acts (7). . . . To each age, and kind, and education, and calling, and manner of living, and other things in which persons differ, he gives the natural expressions” (8). This was what the ancients praised in Lysias as the art of character-drawing (*ἡθοποιία*), and they highly esteemed him for expressiveness (*ἐνάργεια*), and fidelity to life (*διατύπωσις*).

The style of Lysias has been briefly described in the Preface to this volume. Dionysius calls him “an excellent standard of the Attic tongue, not of the old, which Plato and Thucydides have used, but of that which was current at that time” (2). The ancients regarded his style as a model of the *genus tenue*, *ἰσχυρὸν γένος*. The difficulty of describing this by any one or two English synonyomes is apparent from the multitude of predicates by which Francken endeavors after an exhaustive translation, namely, “*Tenuitati . . . propria est gracilitas et siccitas*, i. e. ornatus defectus; *simul subtilitas sive acuta demonstratio*; *denique brevitas*. *Tenuis orator parcus est verbis, et inornatus, sed idem sanus ac sobrius, subtilis, tersus, elegans, cavebit a jejunitate.*” — *Commentt. Lys.*, pp. 9, 10. Lysias gives everything its common and familiar name; he seldom uses a metaphor, even in passages of the highest eloquence. Demosthenes also, and other Attic orators, used figurative language sparingly, but this plain style was peculiarly adapted to the sphere for which Lysias designed his orations. Dionysius praises him for his faculty of “making things seem uncommon, and dignified, and great, while using the most common expressions, and abstaining from poetic devices” (3). His luminous precision, his naive truthfulness, his straightforward movement, deserve to be studied by every orator who aims at the orator’s practical end of conviction and persuasion. As contrasted with

Demosthenes, he is thus characterized by Francken: “Flumine verborum abripit Demosthenes, ‘monte decurrentis velut amnis’; Lysias leniter allabitur, placidi et quieti rivuli instar, qui raro fluctus movet. Sanitatem et sobrietatem Atticam in utroque agnoscas, sed vehementior est Demosthenes, quietior Lysias.” (*Ib.* p. 10.) Isocrates, on the other hand, writing comparatively few orations, and expending proportionately more time in perfecting them,—ten or fifteen years, it is said, upon his *Panegyricus*,—is much more elaborate than Lysias in the arrangement and treatment of his subjects, and, though harmonious in the flow of his sentences, sometimes wearisomely so in the monotonous finish of his elegant periods. But with regard to Lysias, furthermore, there is a peculiar charm (*χάρις*) of elegant completeness and graceful finish investing his works. Dionysius calls it “the charm which blooms over the whole expression and arrangement,—a thing indescribable and most admirable. For it is most easy to see, and manifest to every one alike, both common man and artist, but most difficult to show in speech, and not readily achieved even by those best able to express themselves. This, indeed, I believe to be the best and most characteristic merit of the style of Lysias; whether one should call it a happy gift of nature, or the result of labor and art, or a habit or faculty combined of both, in which he excels all the rest of orators” (10).

As regards the details of oratory, the ancients regarded Lysias as unsurpassed in his *statement* of a case. In *argument* he is ingenious and acute. While he looks at his subject on all sides, he has a keen perception and vigorous grasp of the strong points of a case. His *thought* is never hampered by its *form*, but easily frees itself, by agreeable changes of construction, whenever the form is in danger of proving burdensome or obscure. More than any other Attic orator, Lysias uses the favorite *rhetorical ornaments* of that Sicilian school in which he had been trained (see *Notes*, §§ 1, 7, 37, 54, 78, *Or. against Eratosthenes*). Yet his use of them is never such as either to detract from the naturalness of his style,

or to interfere with the sober earnestness of his aim. In his *introductions*, Lysias shows the greatest variety. Each oration seems to open with the spontaneous thought of the moment. In his *conclusions* he is generally brief, and is fond of condensing in a terse statement the main points which he has presented.

In this connection the following remarks of Curtius upon Attic oratory, and that of Lysias in particular, deserve perusal:—

“The real oratory of the Athenians connected itself closely with the tasks of actual life, as they offered themselves in the law courts and in the popular assembly. Here it could take for its model neither the pomp of the style of Gorgias, nor the artistically constructed periods of Isocrates; for the ample and self-satisfied manner of the artistic orators was not in its proper place when the point at issue was to treat a given case according to the facts at issue, and, in the short time allowed, concisely to combine that which was adapted for determining the decision of the civic assembly, or of the jury. . . . But this Attic oratory reached its fullest development, and the most abundant evidence of it remains, in the works of Lysias, who is likewise by the experiences of his life so intimately associated with the internal and external history of Athens. . . . He now applied himself entirely to forensic oratory, which at Athens came more and more into the foreground, and which was also the principal subject treated in the books of instruction. Under the salutary discipline of a practical profession, Lysias put aside whatever had formerly clung to him of artificiality and sophistic mannerism; he emancipated himself from all useless ornament, and wrote his speeches in so straightforward and simple a style, that they became perfect models of the natural grace of Attic prose. He moreover possessed a peculiar gift, which very probably was due to his Sicilian blood, namely, the power of seizing with admirable force the characteristic points, according to age and social class, in the particular personages whose suits he conducted, and of thus making his speeches dramatic sketches of actual life.”—*Hist. Greece*, V. pp. 180, 181.

That the writings of Lysias were highly esteemed in antiquity, is evident from the number of commentators upon them, whose works, however, have not survived together with their names. The most valuable critique of him that we have from any ancient writer, is that of Dionysius of Halicarnassus (who died soon after B. C. 7), of whom Francken says, that whoever attempts to praise Lysias, after Dionysius, will probably seem to be writing the Iliad after Homer.

NOTES.

THE DEFENCE OF MANTITHEUS.

XVI.

INTRODUCTION.

N. B. — In the following pages the orations are severally referred to by the numerals prefixed to each, which are the same that designate them in the complete series.

THE date of this oration is determined by the references in § 15, as shortly subsequent to the battle at Coronea. Accordingly the oration must have been delivered some ten years after the time of the Thirty Tyrants. Mantitheus had obtained an election to the Senate. But, so strong was the hatred still cherished toward the Thirty and their adherents, that in the constitutional scrutiny (*δοκιμασία*) of the senators elect, — which took place before the out-going Senate, — the objection was raised against Mantitheus that he had served among the cavalry during the year of anarchy, as the Athenians termed that period of unconstitutional government.

It had been decreed, after the restoration of the democracy, that those cavalry-men who had served in the time of the Thirty should refund the *κατάστασις*, that is, the allowance granted them by the state for their outfit. It is likely that the tyrants, anxious to recruit the ranks of a force on which they depended, had perverted this allowance to cavalry-men, customary as it had been before they came into power, into a mere bounty for partisans, and that the resources for it came from unrighteous confiscations. The decree of reclamation was doubtless a stroke of censure at the cavalry, who had incurred the hatred of the people by the devotion which they had shown to the cause of the tyrants. Grote remarks, that the horsemen, as a class, had steadfastly supported the Thirty through all the enormities of their

career, and had made themselves their partisans in every species of flagitious crime which could possibly be imagined to exasperate the feelings of the exiles. (*Hist.*, VIII. pp. 246, 302.)

This reclamation of the *κατάστασις* naturally produced some law-suits, which were tried before judge-advocates (*σύνδικοι*), who had been appointed to take cognizance of the claims for indemnification, that arose after the return of the exiled democrats, whose property had been confiscated by the oligarchs. The lists of the cavalry-men were, of course, in evidence. These lists were on tablets covered with gypsum (*σαρίδια*). These lists, as might have been expected, had been more or less corrupted, names erased and names inserted. The results of the legal proceedings were probably various. But a connection with the cavalry service, whether positively ascertained or not, made in many cases little difference. (See § 8.) Grote remarks, "the general body of the knights suffered so little disadvantage from the recollection of the Thirty, that many of them in after days became senators, generals, hipparchs, and occupants of other considerable posts in the state." — *Hist.*, VIII. p. 306. Sometimes, however, they were more severely treated (*Or. XXVI.* § 10).

Mantitheus, with his somewhat careless demeanor, may have given occasion for the complaint. He makes, however, a seemingly unimpeachable defence with a skilful use of facts, and with a free and unreserved exhibition of his life and his personal character. He appears as an Athenian from a good family of the old stamp, hostile to the dissolute life of elegant men of his age, not very careful in his external appearance, and rather disposed to brave criticism. He is active, devoted, resolute, and brave, in a somewhat rough and impetuous way, but takes pains, by uprightness and solid merit, to secure the approbation of his fellow-citizens. Such a character captivates us by its probity and openness, and in its clear delineation Lysias has furnished an excellent proof of his skill.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

[For fuller statements see especially Smith's *Dictionary of Greek and Roman Antiquities*.]

1. THE *civil* and the *military constitution* of the Athenians ran parallel. The nation, since the democratical reorganization by Clis-

thenes, B. C. 509, had been divided into ten *tribes* (*φυλαῖ*). These possessed each its leading officers, its common sanctuaries, and its tribal festivals, but, as corporations, they had no political significance, and served merely as organs for the performance of civil and military services. (Curtius, *Hist.*, I. pp. 407, 408.

The phyle, says Grote, seems to have been "the only military classification known at Athens." The soldiers of each phyle formed a division of the army (§ 15) called a *τάξις*, subdivided into *λόχοι*, under *λοχαγοί*. The *τάξις* of the Athenians was thus a larger body than among other Greeks. Each *τάξις* was under a *ταξιάρχος*. The ten *taxisarchs*, who acted as lieutenants and assistants of the ten *strategi*, both in peace and in war, commanded only the infantry of the ten phylæ. The cavalry commander in each phyle was called *φύλαρχος* (§ 6), and the ten *phylarchs* were themselves subordinate to two *hipparchs* (*ἱππαρχοι*, § 8). The chief military officer was the *strategus* (*στρατηγός*, § 8). Of these there were also ten, one for each phyle. They were elected by popular suffrage, and presided over all matters belonging to the war and the foreign department. They also nominated and exercised control over the trierarchs, or naval captains, and, in general, were charged with superintendence of the public safety. They had the power, in an emergency, of convoking, with consent of the senate, an extraordinary assembly of the people; and even of prohibiting or dissolving the assembly, if so the necessities of the state seemed to require.

2. *Phylæ and Demes.* The phylæ possessed no local centres of their own, but were simply aggregations of *demes*. These demes (*δῆμοι*) were local parishes, and demes which might be remote from each other were often included in the same phyle. In each phyle there were originally ten demes, but the number gradually increased. The common local centre of the phylæ was the city agora, where the statues of the ten tribal heroes stood, but that of each deme was its own agora. The land-holders in each deme were catalogued, and "registration in these parish lists served as evidence that an individual belonged to the country in general, and was entitled to the enjoyment of civic rights. Though he might change his habitation as often as he liked, he still continued to belong to the deme in which he had once been registered." — Curtius, *Hist.*, I. p. 407.

Like our towns, the demes had their local governments, treasuries, and meetings, and raised their quotas for the army and navy. The

demes were sometimes of large extent and populous. The deme of Acharnæ supplied a force of three thousand men in the Peloponnesian War. The members of a deme were called *demotæ* (δημόται, § 14), and the head man of each deme was styled *demarch* (δήμαρχος).

3. The *Senate* (Βουλή) had been composed, since the time of Clisgenes, if we except the revolutionary period about the close of the Peloponnesian War, of five hundred citizens, not under thirty years of age, who were chosen by lot (κύαμος), and held office for a year, meeting daily, except on festivals and holidays, and receiving the compensation of a drachm (about eighteen cents) per day. Every senator elect had to undergo the scrutiny (δοκιμασία) (see *General Note*, 5), in which evidence must be presented of citizenship, age, and freedom from *ἀτιμία*. (See *General Note*, XXV. 3.) The functions of the senate were to originate business for the general assembly, to take care for the navy and arsenals, to regulate all matters of finance, to judge of the qualifications of magistrates, and of the members of their own body; and also to receive, and sometimes to try, informations (εἰσαγγελίαι). (See *General Note*, 7.) The judicial power of the senate was limited from B. C. 461 to the imposition of a fine of five hundred drachms, — about \$90.45. Of the five hundred senators, fifty were chosen from each phyle, and each of the ten sections thus formed presided (ἐπρυτάνευε) in turn, both in the senate and in the assembly, for a period of thirty-five or thirty-six days. This period (πρυτανεία) was subdivided into five weeks, and each presiding section (οἱ πρυτάνεις) into five tens, and each ten presided a week in turn. The presiding ten (οἱ πρόεδροι) of any week chose one of their own number for each day of the week, to act as president (ἐπιστάτης) of the senate and of the assembly of the people.

4. The *assembly* (ἐκκλησία) embraced all the qualified freemen of Attica. A man could be qualified for membership at the age of twenty. The meetings, held regularly four times in each prytany, or forty times a year, assembled in the *Pnyx*, a semicircular area on a low hill southwest of the Areopagus. All matters of public and national interest, foreign or domestic, might become subjects for discussion. It was not according to law to bring forward any particular measure that had not previously received the sanction of the senate by a *προβούλευμα*, or been referred by that body to the assembly. Privilege of speech was not confined to any class or age. Speakers addressed the meeting from a high platform of stone (βῆμα, still exist-

ing). The sense of the meeting was expressed by a show of hands (*χειροτονία*) or by ballot (*ψῆφος*). The attendance on ordinary assembly days probably numbered about five thousand.

As in addition to the forty regular meetings of every year there were many special meetings, the poorer classes would either be burdened by attendance, or must resign the control of affairs to persons of wealth and leisure. There was some justice, therefore, in the arrangement which secured the attendance of the poorer citizens by allowing a compensation of, at first, one obol (three cents) a day, which was increased afterward (B. C. 392) to three obols.

5. The *Δοκιμασία*. Before any person who had been designated or elected to an office was permitted to enter on its duties, he was obliged to pass an examination into his previous life and conduct. This scrutiny of qualifications was called the *dokimasy* (*δοκιμασία*). It did not take account so much of the actual capacities and personal qualities of the persons elected, as of matters like the following: Whether the individual were a genuinely born Athenian citizen and of proper age; whether he had discharged his filial obligations to his parents, and had done his duty as a citizen in war; whether he had borne his part in the customary sacrifices, and had discharged his debts to the state; and whether he had engaged in any transactions prejudicial to the state, or such as should incapacitate him for civic functions. The *dokimasy* was held sometimes before the senate, sometimes before the jury-courts of the dicasts. (See *General Note*, XII. 3.) It was in order at such times for any person to object to the fitness of the candidate under scrutiny. So wide-reaching an examination of a man's whole record, public and private, gave wide opportunity to objectors, and permitted, as we see in the following oration, an equal discursiveness in reply (§ 9). This institution was sometimes perverted to the gratification of private grudges, but was also turned to account against some unworthy persons who could not be successfully prosecuted under the laws.

6. A *Syndicus* (*σύνδικος*) is sometimes synonymous with a *Synegorus* (see *General Note* to the next oration), and sometimes, as in this oration, denotes an advocate of a peculiar kind, possessing some judicial powers. The duty of this class of *σύνδικοι* seems to have been to exercise jurisdiction in disputes respecting property claimed both by the state and by private parties, especially confiscated property. The first appointment of such functionaries took place on the restoration

of the constitution after the overthrow of the Lysandrian tyranny, B. c. 403. The name of *σύνδικοι* was also specially given to orators sent to represent the state before a foreign tribunal.

7. *Dike*. The general word denoting any proceeding at law between parties was *δίκη*. This had a wider and a limited sense. In the wider sense, *δίκη* included both public and private actions; in the more limited sense it meant a private suit, while *γραφή* was the word specially appropriated to public actions (see *General Note*, VII. 1); and these again were divided into *ἰδιαιτερα*, or criminal prosecutions, and *δημόσιαι*, or state trials. The different classes of trials were also included under the general name of *ἀγῶνες*. *Εἰσαγγελία* signified an information laid before the senate or the assembly, especially in cases not covered by the laws, or in case of eminent persons, or heinous offences, or when a combination of crimes was charged, or when speedy trial was necessary.

8. *Martyria*. In the courts of Athens only freemen possessing their civil rights could be witnesses (*μάρτυρες*). Of the testifying of women or minors there is no instance on record. Slaves could testify only under torture (see *General Note*, VII. 2). But alien freemen could testify like citizens. Neither of the parties to a suit was a competent witness in his own case, though each was obliged to answer questions put by the other (see *Or.*, XII. §§ 24, 25). A witness who refused to appear when summoned was liable to prosecution. He was not obliged to be present at the preliminary hearing (see *General Note*, VII. 1), but his deposition had to be handed in then in writing. When he was ill, or out of the country, he could be examined by commission, and his deposition was then called *ἐκμαρτυρία*. Hear-say evidence, except the declaration of a deceased person, was inadmissible. After the preliminary hearing, no fresh evidence could be introduced. When the trial took place the witness was obliged to be present in court. When he was introduced, the water-clock (*κλεψύδρα*), which measured the time allotted to the speakers, — in the midst of whose addresses the witnesses were brought forward at fitting points, — was stopped, the witness ascended the speaker's platform, and signified his assent to his written deposition as read to him by the clerk. Either at the preliminary hearing or at the trial, an oath was administered to the witness at the altar by the opposite party. A contumacious witness incurred a fine of 1,000 drachms. A false witness was indictable, with punishment, if convicted, at

the discretion of the court. In our editions of the orators, the words *μαρτυρία* and *μάρτυρες* are interchangeably used to denote the introduction of witnesses.

In connection with this subject, the original signification of the word *martyr* in the Christian sense will readily be appreciated.

NOTES.

XVI.

ANALYSIS.

PART I.—REPLY TO THE SPECIAL CHARGE, §§1–8.

“ II.—EXHIBITION OF THE SPEAKER'S RECORD, §§9–21.

I.—1. Introduction : The accusers' malice gives the speaker a valuable opportunity to demonstrate his character, §§ 1, 2.

2. The proposition ; stating in general what the speaker expects to prove, § 3.
3. The argument, §§ 4–8, namely :

A. An alibi : he was out of the country till the affairs of the Thirty had become critical, § 4 ; and at such a time it was not likely that he and they would have become connected, § 5.

B. Whatever a falsified register may show, § 6, his name does not appear as a cavalry-man either in the phylarchs' lists, or in the judicial reclamations, § 7.

C. Were it true that he had served in the cavalry, he could show that he had harmed no one, and could point to many such who had been honored with high office, § 8.

II.—1. Introductory : A personal narrative is required by the nature of the case, § 9.

2. The narration, §§ 10–16.

A. Of his conduct in domestic relations, § 10.

B. And also in social and public life, §§ 11–16.

a. Negatively.

a. as averse to dissolute habits, § 11.

b. and never charged with a breach of law, § 12.

b. Positively.

a. as a volunteer for dangerous service, § 13.

b. generous to poorer comrades, § 14.

c. steadfast in battle, § 15.

d. and of undaunted daring after defeat, § 16.

3. Argument on the facts presented, §§ 17–19.

A. Popular favor and political rights cannot justly be refused to a man with such a record, § 17.

B. The true criterion of an honorable and worthy citizen is such a record, § 18, rather than peculiarities of personal appearance and manner, § 19.

4. Conclusion, §§ 20, 21. (See Notes.)

1.—*συνήδειν*, *G.*, 49, 2. *H.*, 746. — *βουλομένοις*, *G.*, 113. *H.*, 799. — *κατηγορίας*, *G.*, 173. *H.*, 577. — *διαβεβλημένοις*, *G.*, 18, 4. Notice the emphasis given by position before the subject *τούτους*. *οἵτινες*, the indefinite relative, gives a general signification to its antecedent *τούτους*, “this class of persons...who.” — *ἀναγκάζωσιν*, *G.*, 62. *H.*, 757. — *αὐτοῖς*, *G.*, 188, 3. *H.* 600.

2.—*ώστ’ ἐλπίζω*, *G.*, 65, 3. *H.*, 770, 771. — *εἰ τις...τυγχάνει*, *G.*, 48, I. A. 1, & R. 1. — *διακείμενος*, *G.*, 112, 2. *H.*, 801. — *ἔμοῦ*, *G.*, 171, N. 1. *H.*, 576, a. — *ἀκούσῃ*, *G.*, 20, N. 1; 60, 3, N.; 61, 3. *H.*, 760, a. — *μεταμελήσειν*, *G.*, 27, N. 3.

3.—*ἀποδείξω*, *G.*, 50, 1, & R. 1. Is the tense a future or an aorist subjunctive? See *G.*, 37, 2, N. 1. What is the apodosis? — *τῶν αὐτῶν κινδύνων μ. ὑμῖν*, *G.*, 170, 2, & 186. *H.*, 574, a, & 603. — *τὰ ἄλλα*, i. e. everything beside his just-mentioned attachment to the established constitution, and what he had endured in consequence. — *μετρίως*, a modest expression for “laudably.” — *βεβιωκάς*, *G.*, 112, N. 8. *H.*, 797 & 802. — *δέομαι*, *G.*, 10, N. 7. So *ἀξιῶ*, above. *H.*, 699, a. — *δοκιμάζειν*, see *General Note*, 5, *Δοκιμασία*. — *οὐχ ἵππευον* [οὐτ’ ἐπεθήμουν], the bracketed words seem to have got out of place from § 4. Discriminate between this imperfect and the aorist *μετέσχον*. *G.*, 200, N. 5. *G.*, 19, N. 2. — *μετέσχον*, why not accented *μέτεσχον*? *G.*, 26, N. 1. *H.*, 368, b. Free from all connection with the administration, he was impliedly free from all responsibility for its actions.

4.—*Ἡμᾶς*, emphatic position. — *συμφορᾶς*, at *Ægospotami*, on the European side of the Hellespont, opposite Lampsacus, where about one hundred and seventy vessels, nearly the whole of the Athenian fleet, were taken by Lysander, September, b. c. 405. This disaster was the finishing stroke of the Peloponnesian War. — *Σάτυρον* (I.), king of a district in the Tauric Chersonese (modern Crimea), whose capital was Panticapæum, also called Bosporus, from its situation on the west side of the Cimmerian Bosporus (Strait of Yenikale). The region had been colonized principally from Miletus, and maintained a flourishing trade with Athens in particular, which drew from it annually 400,000 medimni (600,000 bushels) of corn. Says Curtius: “Of all the existing foreign relations, those with the princes on the Cimmerian Bosporus were in truth the most favorable and the best warranted,” etc. *Hist.* V. p. 137. — *διαιτησομένους*, *G.*, 109, 5. *H.*, 789, d. — *ἔξεπεμψε*, notice the force of the *ἔξ*, “out of the country.” — *τειχῶν*, the Long Walls and the fortifications of Piraeus. See *Or. XII.* § 40, Notes. — *καθαιρουμένων...μεθισταμένης*, *G.*, 16, 1. — *πολιτείας*, see *Or. XII.* §§ 73–76. — *πρίν*, *G.*, 106, 2. *H.*, 769. — *φυλῆς*, the military operations which resulted in the expulsion of the Thirty commenced in the occupation of Phyle by a force under Thrasybulus. Phyle, 14 miles from Athens, is a

fortress on a precipitous rock, “*Phyle's brow*,” commanding the pass of Mt. Parnes, on the road from Thebes to Athens. — **κατελθεῖν**, November, B. C. 404. — **ἡμερᾶς**, G., 188, 2. H., 610.

5. — **καίτοι**, a particle of very frequent occurrence in Lysias, compounded of *καὶ* and the enclitic *τοι*, which is an old dative form equivalent to *τῷ*, and meaning *therefore, certainly*. In composition it adds a strengthening force. The compound *καίτοι* signifies, (1) *and certainly*; (2) *and yet certainly*; *and yet*; (3) *although*. — **εἰκὸς ἦν...έπιθυμεῖν**, G., 49, 2, N. 3, (a). H., 703. — **ἔχοντες** has the force of an imperfect, as will appear if the personal construction be translated by the impersonal, “*nor does it appear that they had*,” etc. See G., 16, 2. Sauppe prefers to read **σχόντες**. But the reference to the past is clear enough in the present participle; and besides, the aorist has a special sense not pertinent here. See H., 708. — **μηδὲν ἔξαμαρτάνουσι**, not *τοῖς μ. ἐ.*; those who had committed no fault are not a distinct class from those who were out of the country (which the repetition of the article would intimate), but these latter just because of their absence were blameless. (Francken.) For the negative, G., 283, 4. H., 839. — **πολιτεῖας**, G., 170, 2. H., 574, a. — **ἡτίμαζον...δῆμον**. Perhaps such a case as that of Theramenes (see *Introd.* to the following oration) was in the speaker's mind. And yet the sense of the passage, as it stands, seems to take the edge off from Mantitheus's argument, that the tyrants trusted no one who had done nothing wrong. Francken favors Reiske's conjecture that, after *τὸν δῆμον*, *έτιμων* has dropped out. If so, the statement would agree with XXV. § 13: *τοὺς πλεῖστα κακὰ ὑπᾶς εἰργασμένους εἰς τὰς τιμᾶς καθίστασαν*.

6. — **σανίδιον**, see *Introduction*. — **ἰππεύειν**, i. e. *ὅτι ἵππευον*. G., 15, 3, & R. 1. — **ἔγγεγραμμένοι** (so Cobet), the proper term for the entering of names on a list, not *ἔπιγεγραμμένοι*. — **ἔκείνος**, H., 679, b, last part. — **ἔψηφίσασθε...ἀπενεγκεῖν**, G., 92, 1, & R. 1. — **καταστάσεις**, see *Introd.* — **ἀναπράξητε**, G., 44, 2, & N. 1.

7. — **ἐμέ**, emphatic. — **ἀποδείξειν**, G., 50, 2, & 52, 2. — **συνδίκοις**, see *Introd.* and *General Note*, 6. — **καταβαλόντα** (so Bake, Francken, Frohberger, and others, while Frei and Kayser regard the bracketed words as spurious); the refunding of the allowance would have been the decisive indication: *καταβαλόντα* seems preferable to the common reading *παραβαλόντα*, both for that reason, and for the sake of the climax in which the three participles then stand, *ἀπενεχθέντα...παραδοθέντα...καταλαβύντα*. — **τοῦτο**, H., 679, a. — **ἀναγκαῖον ἦν**, see *Note* on *εἰκὸς ἦν*, § 5, above. — **ἀποδείξιαν**, G., 54, 2, (b), and 50, 2, R. (a). — **ἔκείνοις τοῖς γράμμασιν**, i. e. the lists of the phylarchs. These, although just mentioned, are designated more distantly as *ἔκείνοις* in contrast with the *σανίδιον*, referred to by *τούτοις* (*γράμμασιν*), as either produced in court, or made specially

prominent by the accuser. — **τῷ βουλομένῳ**, *G.*, 108, 2. The participle here involves the protasis, *εἰ τις βούλοιτο*, or *ἐβούλετο*, *G.*, 51, and Note 3.

8. — **εἴπερ ἵππευσα...οὐκ ἀν ἦν**, *G.*, 49, 2, with R. (a.) & (b.) — **ῶσ...πεποιηκάς**, *G.*, 113, N. 10. H., 795, e. — **ἥξουν**, has an implied *ἀν*, derived from the preceding *οὐκ ἀν ἦν*. — **ἀποδεῖξας**, equivalent to *εἰ ἀπέδειξα*, *G.*, 52. — **βουλεύοντας**, “members of the senate.” — **ῶστε.. ἥγεισθε**, *G.*, 65, 3, Note. — **μου**, *G.*, 173, 2, N. H., 583. — **μαρτύρησον**; the witness was probably to testify as to the time of the absence and return; see § 4. The *alibi* was thus far the main point in his defence. — **ΜΑΡΤΥΡΙΑ**, see *General Note*, 8.

9. — **οὐκ οἰδ' ὅ τι δεῖ πλείω λέγειν.** Here begins the second and more discursive part of the oration. The case, so far as concerned the accusation now so thoroughly refuted, had been sufficiently argued. In an ordinary lawsuit, Mantitheus might well have rested here. But as wide range was allowed both to complaint and answer in the public scrutiny of the character of candidates for office (see *General Note*, 5, *Δοκιμασία*), he is not content to have proved a mere negative, but now goes on to show that his actual life and character had been that of a praiseworthy citizen, entitled to such political rights as that now called in question. — **ἀπολογεῖσθαι**, *G.*, 91. H., 763. — **ἀκροάστασθαι**, *G.*, 23, 1, & *Rem.* — **ποιήσομαι**, *G.*, 199, 2. H., 689. — **διὰ βραχυτάτων**, *H.*, 629, PHRASES.

10. — **πρῶτον.** The first point which Mantitheus makes is with reference to his domestic and private affairs, *τὰ ἴδια*, as distinct from *τὰ κοινά*, his social and public relations. — **ούσιας...καταλειφθείστης**, *G.*, 277, 5. H., 790, e. — **συμφορὰς...τὰς τῆς πόλεως**, in the course of the Peloponnesian War. — **ἐπιδούς**, sons inherited the whole patrimony, but with the obligation of supporting their sisters, and providing them suitable marriage portions. — **τριάκοντα μνᾶς** = half a talent: a mina was worth about \$18. — **όμολογεῖν**, acknowledged at that time and still acknowledges. *G.*, 15, 1, & *Rem.* — **ἐμοῦ**, *G.*, 175. H., 585. — **μηδεπώποτε...μηδέ...μηδέν**, *G.*, 283, 8, last part. H., 843.

11. — **διώκηκα** (so Sauppe and Frohberger), preferable to the common reading **διώκησα**, on account of the preceding perfect, **βεβίωκα**. — **ἐπιεικεῖας**, literally “moderation,” unassumingly covers the claim to a virtuous and honorable life. — **ποιούμενοι**, *G.*, 199, 3. H., 690. — **τούτους**, here not strictly necessary, but subjoined to **πλείστα** with significant emphasis, as if = “*these* are they who talk and lie about me *most*.” — **τῶν αὐτῶν**, *G.*, 171, 2. H., 576. — **ἐπεθυμοῦμεν**, “we” = they and I.

12. — **ἀποδεῖξαι**, distinguish from differently accented forms. H., 367, R. e. — **δίκην...γραφήν...εἰσαγγελίαν...ἀγῶνας**, see *General Note*, 7. **δίκη** here denotes a private suit. This, however, would fall under the head of *τὰ κοινά*, his social and public relations. — **σκέψασθε**, *G.*, 22.

13. — *πρῶτον*, subordinate to the *πρῶτον* in § 10. See Analysis. — *ἐποιήσασθε*, *G.*, 19, N. 4, b. H., 706. — [τοὺς], Rauchenstein brackets the article here, “because Lysias omits the article before gentile nouns.” — *Βειωτούς*. The so-called Corinthian War, which was carried on by sea and land for some seven years, was fomented by the Persian satrap Tithraustes for the purpose of relieving the Asiatic provinces from the presence of a Spartan army, and of transferring the scene of hostilities to Greece. The Thebans headed an anti-Spartan league, and occasioned the outbreak of the war, B. C. 395. The resolution of Athens to send military aid to Thebes was her first emergence from the political eclipse which she had suffered at the close of the Peloponnesian War, and at the time when this force was sent, the city was still without fortifications and without ships. — *εἰς Ἀλιάρτον*, a city of Boeotia. Lysander, the conqueror of Athens, had been routed and slain before Haliartus prior to the arrival of the Athenian force. — *Ὀρθοβούλου*, probably the phylarch of Mantitheus's tribe. — *εἶναι*, *G.*, 15, 2, N. 2. The Spartans were generally weak in the cavalry and strong in the infantry. Rauchenstein, after admitting the bracketed *δὲ*, remarks that it is better, with Francken and Cobet, to drop it, and instead, with Frohberger, to put *ἄν.* — *ἀναβάντων ἐπὶ τοὺς ἵππους*, “entered the cavalry service.” — *ἀδοκιμάστων*, in violation of the rule which required that, before entering the service, both men and horses should undergo an examination satisfactory to the hipparchs. — *ἔγαλεῖψαι*, *G.*, 23, 2, N. 4. — *μέλλοντος*, *G.*, 25, 2. H., 711. — *παρασκευάσαντι*, *G.*, 138, N. 8. H., 776, fine print. See *ἔξαρνος*, XII. § 31 and Note.

14. *τῶν δημοτῶν*, the members of a deme served together. — *ὅτι χρή*, *G.*, 70, 2, R. 1. H., 734, a, 735. — *τοὺς ἔχοντας*, *G.*, 276, 2. — *συνεβούλευν...ἔδωκα*, *G.*, 19, N. 2. — *αὐτός*, *G.*, 79, N. 1. H., 669, b. — *κεκτημένος*, *G.*, 200, N. 6. H., 712. — *γένηται*, like *ἀναπράξητε*, § 6, *G.*, 44, 2, & N. 1.

15. — *εἰς Κόρινθον*, the Athenians sent some six thousand hoplites, about one fourth part of the heavy-armed force which the allies sent into the field against Sparta, with about six hundred cavalry. Thrasybulus commanded. — *δεήσει*, the past thought quoted in the direct form, *G.*, 77. What would the indirect form be? — *τῆς πρώτης*, supply *τάξεως*, which Cobet inserts in the text. The genitive may be construed with some such word as *όπλιτης* understood; *G.*, 169, 2, N. H., 572. — *δυστυχησάσης*, in the battle of Nemea in the Corinthian territory about midsummer, 394. The Athenians were outflanked and severely handled. See *Grote*, IX. pp. 306–308. *Curtius*, IV. 249. — *τοῦ σεμνοῦ Στειριῶς*, “the grand Stirian,” ironically. Thrasybulus was of the deme Stiria, in the phyle Pandionis. This reference shows the oration to have been delivered while the events were recent, and before the death of Thrasybulus, who was slain near Aspendus, in Pamphylia, in 390.

16. — **χωρίων ισχυρῶν.** The passes of the Isthmus remained as before, in the control of the forces of the League. Moreover, the camp to which many of the defeated allies retired was so strongly secured by the nature of the ground (*καὶ γὰρ ἦν λάσιον τὸ χωρίον*, Xen. *Hell.* IV. 2, 19), that the victors did not attack. — **μὴ δύνασθαι**, G., 283, 3. H., 837. — **Ἀγησιλάου**, the second monarch of that name, “the ablest and most energetic of the Spartan kings” (Grote, X. 363, *sq.*), having been recalled from a career of victory in Asia to succor the Spartan interests in Greece, defeated the allied forces at Coronea in Bœotia, a few weeks after the battle of Nemea. — **ἐμβαλόντος** stands in the causal relation to **ψηφισαμένων**. — **τῶν ἀρχόντων**; these were the *strategi*. See *General Note*, 1. — **ἀποχωρίσανται**, “to detach.” — **βοηθήσουσι**, G., 74, 1, p. 162. See Note on **δεήσει**, § 15, above. — **δεινόν**, a touch of grim humor. — **ἀγαπητῶς**, “barely,” a meaning derived from the more radical signification “contentedly,” through the intermediate idea of what will no more than content. — **ἀκληρωτί**, such a matter was regularly determined by the lot. — **τάξιν**, here evidently in the sense of **φυλήν**, while, as supplied with **τῆς πρώτης**, § 15, above, it denotes, more restrictedly, a single rank in order of battle.

17. — **τοῖς...άξιοῦσι**, G., 184, 2. H., 595, b, last part. The constitutional scrutiny would prevent such cowards from holding office. — **χοιεν.** G., 54, 1, (a). — **ἐποιοῦν...έπολμαν...ἐποιοῦν**, mark the proper force of the imperfects, as distinguished from aorists. — **οὐχ ὡς οὐ**, G., 283, 8. H., 844. — **ἴνα, εἰ ποτε**, the speaker states his past intention in the form of quotation. G., 74, 1. In the direct form, **καθισταίμην** would have been in the subjunctive, or the future indicative (G., 50, 1, & N. 1), and **τυγχάνοιμι** in the subjunctive after **ἴνα** (G., 44), depending on the leading verb **ποιήσω**, or **ποιῶ**, here **ἐποιοῦν**. For another instance of this unconcealed avowal of an interested motive, see XXV. § 13. — **τὰς ἔξεδους**, the article is here restrictive = “those in which I took part,” G., 141, N. 2. H., 527, d. — **ποιούμενος**, G., 112, 2. — **κομᾶ**, Hamaker’s widely approved emendation of the common reading **τολμᾶ**. With many imitators of the Spartan fashion (*Λακωνισταῖ*, as they were called), Mantitheus let his hair and beard grow long. This would be taken by some to indicate his political sympathy with the foes from whom Athens had suffered most. Supply **χρή** before **μισεῖν**. — For the rhyme-like ending of the two clauses, **σκοπεῖν...μισεῖν**, see XII. § 1, *note* on **ἀπειπεῖν**. — **ἐκ...ἐθελόντων**: **ώφελεῖσθαι** **ἐκ** is more commonly said with reference to *things*, **ὑπό** with reference to *persons*.

19. — **μικρὸν διαλεγόμενοι**, G., 109, 2. H., 789, b. Those who used a moderate tone and utterance would naturally be more persuasive with many than loud and fast talkers. — **πολλὰ κάγαθὰ ὑμᾶς**, G., 165. H., 555, 547, c.

20. — The *conclusion* of the oration, so far as its form goes, is quite peculiar. Mantitheus takes occasion, from a minor objection that had been

made to him, to conciliate the favor of his hearers by a frank and manly confession, § 20, while he puts his justification into the form, at the end, of a brief but graceful compliment to the tribunal, § 21. — ήσθόμην, *G.*, 19, N. 4 (a). — διὰ ταῦτα, *II.*, 679, a; compare διὰ τοῦτο μισεῖν, § 18, above. — δτι νεώτερος ὡν ἐπεχειρησα, *G.*, 81, 1. It was the rule in Solon's time that persons of fifty years and upwards should have precedence in addressing the assembly, but this had become obsolete. Would the imperfect, ἐπεχειρουν, have presented the thought any differently from the aorist? — τῶν ἐμαυτοῦ πραγμάτων, *H.*, 538, fine print. — δοκῶ...διατεθῆναι, *G.*, 92, 2, N. 2. *H.*, 777. — προγόνων ἐνθυμούμενος; instead of the simple genitive (*H.*, 576), the genitive with περί may be used. Compare ἐνθυμουμένους ἐκ, and *Note*, VII. § 30. The participle denotes cause. *G.*, 109, 4. *H.*, 789, c.

21. — ἀληθῆ χρὴ λέγειν, apologetically, since he intimates that they, if any, are to blame. — τοιούτους, “such” as those who undertake to address the assembly of the people. — ἀξίους, supply τιμῆς. Cobet reads πολλοῦ ἀξίους. — ὅρῶν ὑμᾶς, *G.*, 52, 1. — τι...ἀχθοισθε, the protasis is thrown into the form of the subsequent declarative sentence. Stated in the regular conditional form, the thought would have been expressed thus: “And besides, if you more than others have to decide whether such persons are worthy or not, why should you be displeased with them” [for endeavoring to gain your favor]?

The abrupt conclusion is both pointed, and characteristic of the self-reliant temper of the speaker.

THE ORATION AGAINST ERATOSTHENES.

XII.

INTRODUCTION.

THE triumph of Sparta and her allies in the Peloponnesian War was an overthrow, throughout Greece, not only of the Athenian power, but of the democratical principles for which that power stood. The loss of the Athenian fleet at Ægospotami took place in September, b. c. 405. About November, the victorious fleet commenced the blockade of Piræus, while the Peloponnesian army encamped at the gates of Athens. In April, the entry of Lysander into the city at once terminated the famine-agonies of the siege, and introduced the miseries of the year of misrule,—“the anarchy” (*ἀναρχία*) as it was ever afterwards called by the Athenians, as the period during which the constitutional government was suspended. The dark picture which is presented in this oration is the more impressive, because it is but a specimen of a widespread condition of things at that time. Says Mr. Grote: “Lysander, in all the overweening insolence of victory, while rewarding his devoted partisans with an exaltation comprising every sort of license and tyranny, stained the dependent cities with countless murders, perpetrated on private as well as public grounds.”—Vol. IX. p. 188. And again: “We shall be warranted in affirming, that the first years of the Spartan empire, which followed upon the victory of Ægospotami, were years of all-pervading tyranny, and multifarious intestine calamity, such as Greece had never before endured.”—*Ib.*, p. 191.

Immediately after the capture of the fleet, the oligarchical party commenced organization by appointing a managing committee of five, subserviently called by the Spartan name of Ephors, § 43. After the surrender of the city, the next step was the accusation and imprisonment of the leaders of the democratical party, some account of which is given by Lysias in his Oration against Agoratus (XIII.), who acted as the tool of the oligarchs. Then, under the protection of Lysander’s presence, who came from Samos for the purpose, § 71, the revolution was consummated in a popular assembly, by means of the menaces

narrated in § 74. The Thirty being thus clothed with power, about June, 404, Lysander returned to finish the siege of Samos, but a Spartan garrison at the service of the tyrants was sent to keep the Acropolis, § 94, under Callibius, — a man whom even Lysander censured for his insolence to the conquered, — besides which the Thirty maintained their own band of ruffians ready to execute without flinching the most flagitious commands.

Under the democratical constitution the accused had been entitled to trial either by the numerous jury-court called the dicastery, or by the senate, or by the assembly of the people. But by the Thirty many were put to death without trial, §§ 17, 82, while of those who were tried before the senate, newly composed as it now was of the appointees of the Thirty, the fate was generally secured beforehand, though sometimes not without the intimidating even of such a body. In the great number of cases brought before this tribunal, the only acquittal pronounced was in the case of the informer Agoratus, who was set free in return for his evidence. While a few justly obnoxious persons perished at first, a far greater number of worthy citizens were soon seized and executed, among them not only men who had served the state with munificence and ability, but even some of the best members of the oligarchical party itself. In the perpetration of these crimes even respectable citizens were forced to render service, §§ 30, 90, so that, by becoming compromised in the doings of the Thirty, they might, for their own safety's sake, be disinclined to a counter-revolution, in which power might pass into avenging hands.

Excesses like these roused immediate opposition. In the circle of the Thirty itself there was a section of less fanatical sentiments led by Theramenes. He had at first been as forward as any to sanguinary measures. But, partly from sagacious foresight of the ruinous consequences of an unmitigated policy, and partly from jealousy of the predominating influence of Critias, he began to play the part of an opposition leader, declaring that regard must be had to public opinion, and support for the government must be looked for in the community which they governed. These views would probably have controlled the policy of the body in favor of milder measures, had it not been for an audacious stroke of Critias, who suddenly overawed the senate with an armed force, and handed Theramenes over at once to the ministers of death. Such a death not only redeemed his character in some sort, but even secured to him an extravagant degree of praise, as a martyr

to the cause of justice. That this posthumous credit of Theramenes furnished some political capital to men like Eratosthenes, is clear from the elaborate effort which Lysias makes in this oration, §§ 62-78, to exhibit Theramenes, with whom Eratosthenes claimed to have acted, in the odious character which was really his.

More successful were the operations which Thrasybulus, at the head of a small armed force of exiles, with aid from Bœotia, commenced in November, 404, by the seizure of the stronghold of Phyle, fourteen miles north of Athens, and followed up in a few days by the occupation of Munychia, the acropolis of Piræus. The pulling down a part of the walls of Piræus, instead of keeping Athens at the feet of her conquerors, had opened a road to her liberators. In Piræus the ruin of maritime interests had intensified the popular discontent, and the number to whom the liberators might look for reinforcements had been swelled by the influx of more than five thousand fugitives from Athens. And when the Thirty endeavored at once to carry by assault the strong position which Thrasybulus had taken on the hill of Munychia, a defeat followed, in which seventy of the assailants were slain, and, what was of especial consequence, Critias himself fell, together with Hippomachus, another of the Thirty. As an immediate result, the moderate party among the oligarchs became predominant, and the Thirty gave place, about February, 403, to the Ten, § 54. Only one of the Thirty, Phidion, became a member of the new board. Eratosthenes, however, remained with him in the city, inspiring the councils of the government, § 58, though not nominally holding power. The rest of the surviving members of the deposed board retired to Eleusis, which, by the seizure and execution of a large number of innocent citizens, § 52, they had previously taken care to make secure for themselves as a city of refuge.

Instead, however, of any accommodation with the exiles resulting, as had been hoped, from the change of rulers, hostilities continued between the city and Piræus, § 55, a struggle whose terms, as Lysias bitterly says, were such that the city men, if victorious, would be enslaved by usurpers, while the humiliation and suffering of defeat must be borne in order to obtain equal rights with the conquerors, § 92. In this struggle, Lysias himself, despoiled though he had been by the Thirty, lent valuable aid, contributing two hundred shields, and two thousand drachms in cash, besides hiring three hundred fresh soldiers, and negotiating a loan of two talents from his friend Thra-

sydæus of Elis. With such a spirit among the patriots, with continual accessions from the numerous exiles, and with some aid from other cities, the Piræus party kept the city party on the defensive, until the intervention of a Spartan force at the call of the Ten, § 60.

Had Lysander, whom the Ten had expressly desired as commander of these succors, § 59, taken control of affairs at that crisis, it would have gone ill with Thrasybulus and his compatriots. But such indignation had been excited even among the confederates of Sparta by the Lysandrian policy as displayed in Athens and the other subjugated cities, that it became the interest of Sparta to rid Athens of her misery. And so, after Lysander had been sent forth to settle in his own way the disturbances at Athens, the king Pausanias, his personal and political opponent, having won over to his views a majority of the Ephors, was appointed, in May, to supersede him in the chief command. Under his auspices, after some fighting and long negotiation, at the end of ten months of civil war, peace was re-established, in September, 403. The exiles in Piræus were restored, and a general amnesty was sworn to, from whose benefits there were excepted only the Thirty, the Eleven who had executed their sentences, and the Ten who had governed in Piræus (not to be confounded with the Ten who had succeeded the Thirty). The democratical constitution was now immediately restored as soon as possible; but the practice of payment for the performance of the duties of citizenship was not re-established.

Under the new order of things, however, Eleusis was left in possession of the Thirty and their adherents, an asylum for all refugees of that party, and a stronghold of conspiracy and treason. It was not long before their proceedings provoked the Athenians to take the field against them with the entire force of the city. In the course of these hostilities the generals of the oligarchs were seized and put to death. After the flight of the rest of the Thirty and other obnoxious persons, Eleusis was re-incorporated, with oaths of mutual amnesty and harmony, in one political community with Athens.

But when the exiles had returned, impoverished, and smarting under the wrongs which had been inflicted on them and their innocent relatives, especially as they daily felt the hateful presence of the men who, for revenge or gain, had committed or abetted those outrages, attempts were not wanting, in evasion of the amnesty, to seek reparation by instituting legal proceedings against the guilty parties. In consequence of such attempts it became necessary, in the year after

the restoration, to pass the law of Archinus, by which any defendant in such cases was entitled to plead the amnesty in bar of all proceedings.

Previous to this, and probably while the exiled tyrants were still in occupation of Eleusis, Lysias brought his complaint against Eratosthenes, who, with Phidon, seems to have remained in the city. The compact which excluded the Thirty from the amnesty conceded even to them the privilege of remaining, if they were ready to submit their conduct as members of the government to the judgment of the people (see *General Note* to the next oration, 2, *Euthyne*). In venturing on this course Eratosthenes probably placed reliance on the posthumous credit of Theramenes as a martyr, which he might claim to share as having acted with him. Lysias certainly seems conscious of a strong prejudice in a portion of his hearers in favor of Eratosthenes. The selection of the dicasts by lot brought, of course, men of all parties into the panel. Some there doubtless were who, however they disliked the Thirty, were not of the popular party, and not likely to vote with it in the secret suffrage of the dicastery, § 91. Others, either voluntarily or by constraint, had so compromised themselves with the Thirty, as to be too lenient judges. Some may have felt that, if Eratosthenes were convicted, they might not themselves be safe. Furthermore, men of standing and eloquence were ready to speak for Eratosthenes, § 86, and there was no lack of persons to testify in his favor, §§ 87, 88.

In contending against these adverse influences, and in appealing to the sympathies and the patriotism of his hearers, Lysias seems to have bent all his genius to the performance of the sacred duty which, both according to Athenian custom, § 24, and in obedience to natural impulses, he owed to his murdered brother. As, however, the guilt of that murder could not be brought directly home to Eratosthenes, who could plausibly contend, § 25, that he had been forced by his colleagues to make the arrest, and that he had then pleaded, though in vain, for the life of the prisoner ; Lysias does not confine himself to his personal complaint. This occupies, in fact, only the first third of the oration, beyond which Lysias proceeds, in behalf of his injured country, to enlarge upon the whole iniquitous and treasonable career of the Thirty, in which he contends that Eratosthenes, as a voluntary partner of the usurpers, was equally inculpated and responsible.

We can easily conceive what public interest must have been excited

in this, the first important judicial proceeding after the restoration of the constitution. A discourse so charged with just resentment toward the authors of so many private wrongs and public disasters, pronounced, as it was, before the deep impressions of two years of misery and dishonor had begun to fade away, must have waked stirring echoes in many a patriotic bosom and many a bereaved heart. The orator commends himself to us also by his modesty as well as his eloquence, such is the reticence which he maintains respecting those praiseworthy exertions and sacrifices, known to all, which he had put forth for the enfranchisement of his adopted city. Undoubtedly first in order of composition among the author's orations, this one is not inferior to any either in interest or in merit. In his capacity as prosecutor in such a cause, Lysias had the opportunity, which otherwise he would have lacked, to plead the cause of the city itself. In so doing, he was able to review the whole of the recent history of the city, and to instruct the people, as a political leader, upon their situation and its duties. And so his discourse rises from a mere plea for justice upon a criminal, to the rank of a statesmanlike oration.

It is a singular circumstance that no record is extant of the result of so important a trial, so that we must remain without the satisfaction of knowing that Lysias gained his case.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

1. *The Archons.* After the kingly office ceased in Athens, the chief magistrate was styled archon (*ἄρχων*). This office, at first for life, and then for a term of ten years, became, b. c. 683, an annual magistracy, and its honors and duties were distributed between nine individuals, who, after a time, instead of election by suffrage, were designated by lot. The chief of these, styled by eminence *the archon*, gave his name to the year of his office, and was thence called the archon *eponymus* (*επώνυμος*); he was the legal protector of widows and orphans, and judge in certain family matters. The next, or *king archon* (*ἄρχων βασιλεύς*), had superintendence in matters of religion, and in cases of homicide, which it was his duty to bring before the Areopagus. The third archon, styled the *polemarch* (*πολέμαρχος*),

was commander of the army, and judge in disputes between citizens and non-citizens. Each of these three had also the superintendence of particular religious festivals. The remaining six, styled *legislators* (*θεσμοθέται*), had it for their duty to report to the people every year on the subject of the revision of the laws, and to be judges in matters not reserved to the superior archons. But the chief part of their duties was in the receiving of informations, and in bringing cases to trial in the courts. After the Persian War, the archons were withdrawn from political and military duties, and their judicial power was limited to the imposition of small fines. From the time of Pericles, the archon simply received complaints, and conducted the preliminary inquiries, fixed the day of trial, and presided over the dicastery which heard and decided the case. The person of an archon, when wearing the official chaplet of myrtle, was sacred ; he had the privilege of exemption from the *trierarchy* (see *Trierarch*), and at the expiration of his year of office, if his record was such as to bear the customary scrutiny, he became a member of the Areopagus (see *Areopagus*).

2. The *Arcopagus* (*ὁ Ἀρετος πάγος*) was a rocky eminence opposite the western end of the Acropolis, and in close proximity. The name was transferred to the *council* or *senate* which assembled there, holding its sittings in the open air. Instituted in remote antiquity, and originally the sole council of the city, it retained its pristine honor more permanently than any other part of the Athenian constitution. Its powers, varying at different periods, were of a somewhat elastic and discretionary nature, and were regulated to some extent by that public opinion of the better citizens which the body was supposed to reflect. It was composed exclusively of past archons, sitting in it for life after the expiration of their archonship. It had particular oversight of matters connected with religion, and of cases of homicide ; while at one time, as supervisor in general of the public morals, it exercised functions analogous to those of the Roman censors. In times of emergency, the Areopagus seems to have acted as a Vigilance Committee, or as a Committee of Safety, § 69, and miscellaneous public matters were from time to time referred to it. As the single political body which was neither elective nor otherwise responsible to the people, it formed for some time an obstacle to the complete development of democratical principles (see Curtius, *Hist.* II. p. 420 *sqq.*), until, about B. C. 461, Ephialtes, in conjunction with Pericles,

carried a law which abolished its political power. Thenceforward, although retaining its judicial competence chiefly in cases of homicide, and shorn of its amplest powers, it was still retained during the period of the freest democracy as a venerable relic of the primitive aristocratic institutions, and, especially in its capacity of a criminal court, enjoyed a reputation of long continuance. After the restoration of the constitution, B. C. 403, the Areopagus regained its ancient dignity as guardian of the commonwealth, by being intrusted with the duty of seeing to the accurate observance and the unimpaired preservation of the newly arranged laws.

3. The Athenian *Dicast* (*δικαστής*) was a member of a dicastery (*δικαστήριον*), a body which sat to give judgment (*δικάζειν*) in proceedings at law. By the laws of Solon, B. C. 594, the assembly of the people had the power of reviewing and pronouncing upon the administration of the archons, at the expiration of their year of office. In the time of Clisthenes, B. C. 509, the collective body of citizens above thirty years of age appears to have been convoked and sworn to try persons accused of public crimes, and in such a capacity to have borne the name of *heliasts* (*ἡλιασταῖ*), or the *heliæa* (*ἡλιαία*). But as the extension of the sway of Athens brought more and more law business to that city, the accumulation of that business made it necessary to subdivide the heliasts. In the time of Pericles, nearly the whole judicial power, in civil cases as well as criminal, was transferred to the dicasteries thus formed. Six hundred citizens being annually selected by lot from each of the ten tribes, five sixths of the total number were divided into sections, or panels, of five hundred each, in which members of all the tribes were thrown together indiscriminately, while the remaining thousand were held as a reserve from which to fill vacancies. The *thesmophoræ*, or six junior archons, decided by lot which panel should sit, and where, and who should preside at the trial. In some important cases two or more panels were united, sometimes only a fraction of a panel sat, but the usual number was a full five hundred. Not only Athenians, but the subject allies also were amenable to these tribunals, whose number, whose assignment by lot, and whose secret ballot, § 91, prevented that intimidation or corruption to which smaller or differently constituted bodies might have been liable. The dicasts were sworn in collectively at the beginning of their annual term of service. The court-rooms were painted of different colors, and each had its letter of the

alphabet inscribed over the doorway. Each dicast also bore a staff, on which was painted the color and the letter of the court allotted to him. The dicasts sat on benches spread with rugs or matting. The advocates, during their addresses, occupied an elevated stand (*βῆμα*). "The city," says Curtius, "resembled a vast court of law, when, early in the morning, the hosts of jurymen, the fourth part of the entire civic body, were seen moving." (*Hist.*, II. p. 499.) For each day of service the dicast received at first one, and afterwards three oboli. At the latter rate, the annual amount of the dicasts' fees, in the most flourishing period of the city, was one hundred and fifty talents.

The dicastery, in giving its verdict, voted by ballot (*ψῆφον φέρειν*). The most common way was for each dicast to drop into a box one of two pebbles or balls of stone (*ψῆφοι*), which had been furnished him. One of these was black, and the other white; or one was pierced, and the other whole: the white pebble, or the whole one, meant acquittal (*ἀποψηφίζεσθαι*); the others, condemnation (*καταψηφίζεσθαι*). The pebble not used in the ballot was dropped into another box, and thus the secrecy of the ballot was secured.

For a discussion of the practical working of the dicasteries, and a comparison of them with modern juries, see the valuable remarks of Grote, *Hist.*, V. pp. 385–400.

4. A *Synegorus* was one who pleaded a case at law in behalf of another. The traditional usage at Athens for parties to plead their own cases in court was modified by the development of law, and the cultivation of rhetoric, which put unlearned and inexperienced men at disadvantage with better versed opponents. A class of men sprang up, of whom Antiphon, § 67, first became distinguished, who gave legal advice to others, and wrote speeches for clients. Lysias himself, as well as Isaeus and Isocrates, obtained considerable income by such speech-writing: these were *λογογράφοι*, as distinguished from *συνήγοροι*. In general, while a party was still expected to speak for himself, the old rule was relaxed, so that, after a short speech, he might obtain permission to yield the floor to his more capable friend, or *συνήγορος*. Thus the principal speeches were frequently made by the advocate, as being *δεινὸς λέγειν*, § 86. But as no fees were suffered to be paid for this service, the advocate was expected to show the court what motive led him to appear.

As to the number of advocates allowed in any one case, there was

only this limitation, that the time allowed to a side was all the same, whatever the number of speakers. Each party had two opportunities to be heard ; the plaintiff opening, and the defendant replying ; then the plaintiff speaking again, and the defendant closing.

In criminal trials, it was common to have several speakers for the prosecution ; especially in cases where the state was materially interested. A public advocate employed by the state to assist in a prosecution was allowed the fee of a drachm.

5. A *Liturgy* (*λειτοργία*) was a personal service which was required of certain citizens, who, as larger property-holders, were expected to be larger burden-bearers. Liturgies were classified as ordinary and extraordinary, and the former class might be imposed on any citizen — save a few specially exempted — who possessed as much as three talents. These liturgies came in turn to the members of the several tribes who possessed the requisite property, but not more than one liturgy at a time, and not oftener than every other year. The tax thus imposed on the wealthy was in general liberally discharged (see the next oration, § 13, and the following oration, § 31). To fulfil only the letter of the requisition seemed to many incompatible with true public spirit. Nor were cases wanting in which a wealthy citizen would volunteer to undertake a liturgy out of turn. In times of stringency, a liturgy was sometimes undertaken by two persons jointly, especially the choregia and the trierarchy, which latter is the only liturgy which may be properly classed as extraordinary.

6. An Athenian *Trierarch* (*τριηράρχος*) was charged with somewhat more than the duty, which is implied in his title, of commanding a trireme.

Though sometimes wealthy citizens patriotically furnished and served in their own ships, yet ordinarily the state provided the trierarchs with their vessels, at least the hulls and masts. Like modern ships, each trireme in the Athenian navy had its name, as “the Siren,” “the Liberty,” “the Democracy,” etc. The Athenian harbors were calculated for four hundred triremes ; three hundred was the normal number held in readiness for service, capable of taking on board a force of sixty thousand men. Sixty triremes regularly cruised in the Aegean as a police squadron and for practice. The equipment, certainly in the Sicilian expedition, B. C. 415, was at the cost of the trierarchs ; and at a later period, when triremes were fitted out from the public stores, repairs were at their expense, while they

were also obliged to return in good condition the rigging and equipments which they had received. Sometimes, from motives of display, a trierarch would go to unnecessary expense with his own means in the outfit of his ship. The procuring of a crew made another item of cost to the trierarch. Among the crews were many aliens, freedmen, and slaves, but the nucleus of each crew consisted of Athenian citizens. These were ordinarily obtained through the demarchs from the several demes; but it occasionally became necessary for the trierarchs to give bounties to induce fit persons to serve. To meet such costs, a client of Demosthenes, B. C. 361, had even to mortgage his estate. Pay and provisions for the sailors and marines were supplied at the public cost. The expense to the trierarch of his year of office averaged about 50 minæ, or over \$944.

After B. C. 358, the burdens of the trierarchy, which had previously been borne in turn by the individual members of the tribes, were distributed among the twelve hundred richest citizens, grouped in twenty *symmories* (*συμμορίαι*) of sixty members each.

7. The *Choregia* (*χορηγία*) was the most expensive of the Athenian liturgies of the ordinary kind. The burdens of the office lay in providing choruses of different kinds for the various dramatic and other performances connected with the public festivals.

Dramatic entertainments were not of daily occurrence at Athens, as with us, but were exhibited at great festivals, the *Lenaea* and the *Dionysia*, held in honor of Dionysus (or Bacchus). At such times, the theatre was crowded the day long, while play after play was acted. When a poet wished to bring out a play, application was made to the second archon, or in case of the great Dionysia, to the first archon, who, if the play were deemed deserving, nominated a *choregus* (*χορηγός*), whose duty it was to bring out the play with a suitable chorus (*χόρος*). In the earliest times the choregus himself led the chorus, as his name — chorus-leader — implies. It was at the poet's option to train the chorus himself, or to have the services of a professional trainer. From the time of Sophocles the ordinary chorus for a tragedy was composed of fifteen. In a comedy, the number of the chorus was commonly twenty-four. The specific duties of the choregus were to procure the *choreutæ* (*χορευταῖ*), or members of the chorus, to provide a trainer and a training-room, to pay and support both the trainer and his class during their preparations, and furnish the necessary costumes for the exhibition. The burden of the chore-

gia varied with the nature of the chorus ; the expense of a single chorus averaged perhaps half a talent, or about \$550. The emulation of the choregi made the service the more expensive. The choregus who was judged to have done the best received the prize of a tripod. The whole expense of the play, however, by no means devolved upon the choregus. Demosthenes reproved his countrymen with lavishing larger sums on their festivals than on their naval service. "Count the cost of their tragedies," says Plutarch ; "you will find that their *Œdipuses* and *Antigones* and *Medeas* and *Electras* cost more than their wars for supremacy with the other Greeks, and their struggles for freedom against the barbarians."

8. The *Eisphora* (*εισφορά*) was an extraordinary tax on property, levied whenever the burdens of war required. It was laid by a decree of the assembly, and collected under the superintendence of the strategi. To defray the expenses of the siege of Mytilene, B. C. 428, the sum of 200 talents was thus raised at one time.

9. A *Metœcus* (*μέτοικος*) was a resident foreigner. Athens, as the commercial emporium and literary centre of Greece, was the favorite resort and residence of strangers from every quarter. "Whoever," says Curtius, "considered himself an adept in his art, was aware that no place existed where he would meet with a readier recognition or with ampler gains." (*Hist.*, II. p. 539.) The population of Attica was about half a million, of whom 90,000 were citizens, 45,000 metœci, and 365,000 slaves. The civic duties required of the native Athenians were so engrossing as to throw nearly all business, industrial and mercantile, into the hands of metœci, who on this account resided mostly in Piræus. The Athenian metœcus was subject to the same burdens as the citizen, certain liturgies excepted ; was obliged to serve in both the army and the fleet ; was taxed somewhat higher than citizens of the same valuation, besides being subject to an annual alien-tax of twelve drachms on each family. Yet he was not permitted to become a real-estate owner, but must live in a hired house, and must have some citizen for patron (*προστάτης*), through whom alone he could transact legal business, private or public. An Athenian metœcus might, however, like Lysias, obtain the *isotely* (*ἰσοτέλεια*), a condition of immunity from the disadvantages of aliens, which was inferior in privilege only to the condition of the native citizen, who possessed the right of suffrage and was eligible to office. In the war of liberation which Thrasybulus waged, the re-

ward of isately was promised to all aliens who should assist the patriot cause.

10. A *Sycophant* (*συκοφάντης*, literally, a fig-shower) was originally a person who informed against another for exporting figs. The exportation of figs had been prohibited by law at an early period in the history of Attica; and this law, though it had ceased to be sustained by public sentiment, was meanly made use of by some informers from motives of gain. Their practices were facilitated by the Athenian policy of encouraging the detection of offences by permitting any person to prosecute any offender in court. But the obnoxious character of such informations under an almost obsolete law indelibly stained the name of sycophant as a term of reproach, denoting the bringer of malicious and vexatious accusations. The evil import of the term expanded, conformably to the usual character of the class of persons to whom it was originally applied. And so, its primary meaning disappearing, it came to signify, in general, a slanderer, a black-mailer, a lying scoundrel, an extortioner. Nevertheless, as the informer, in case of conviction, received half the penalty, and as guilty persons were often glad to pay hush-money, the disgraceful business had no lack of followers, and the most stringent laws were not able to suppress the evil.

To the preceding references to the political and social constitution of Athens the following, of a more miscellaneous nature, are subjoined, derived mainly from Bancroft's *Literary and Historical Miscellanies*, art. *Economy of Athens*.

11. *Attic Money*. If Böckh's estimate of the Attic *talent* as worth 5,625 francs be accepted, then (the franc being now worth $19\frac{3}{10}$ cents) a talent = \$1,085+. The following table exhibits the values and equivalents of the several denominations:—

1 obolus (<i>οβολός</i>)	=	\$0.03
6 oboli	=	0.181
100 drachmæ	=	18.09
60 minæ	=	1,085.00+

The same authority reckons the Attic gold stater, the Cyzicene stater, and the daric as of equal value, each worth about 20 drachms, or \$3.62. Smith's *Dict. Anc. Geog.*, art. *Cyzicus*, reckons the Cyzicene as = 28 drachms, or \$5.06.

The ratio between ancient and modern prices is stated as one to three. This does not vary much from the result obtained by comparing the

prices of wheat. Wheat brought at Athens, B. C. 390-380, thirty-six cents a bushel; in the age of Demosthenes, sixty cents was a moderate price. Wheat is quoted at Boston this summer (1875) at from \$1.17 to \$1.48.

The cost of living at Athens. A house could be bought for a price varying from \$54 to \$2,160, according to size, location, and quality. \$1,000 would buy a very fair house. Twice that sum was an extreme price. The average price of an acre of good land in Attica was \$36. Estates were small and greatly subdivided.

Provisions were cheap. The retailer of wheat was restricted to a profit of three cents on a bushel. The wine of Attica brought about two cents a quart, and a fair article could be had for half that sum. The best beeves brought, in prosperous times, from \$9 to \$13.20. Board was, as we say, reasonable. Demosthenes, his mother and sister, together paid for their board \$126 a year, providing the house besides.

As to clothing, a good cloak might cost \$2.16; a fashionable coat, \$3.60. A good quality of women's shoes could be had for 36 cents a pair; men's ditto, a showy article, \$1.44.

Manual labor could be hired for twelve cents a day. This was not bad, considering the rates of salaries. Senators received 18 cents for each day of service; jurymen, half that sum. A foot-soldier received 36 cents a day for pay and rations for himself and attendant, the officers twice, and the generals only four times that amount. "Stars" at the theatres, however, were paid as liberally as now-a-days. The highest sum mentioned is \$1,085 for two days' service.

Travelling was not expensive. From *Ægina* to *Piræus*, sixteen miles, the fare was six cents. From *Egypt* to *Pontus*, thirty-six cents.

Funerals were expensive. The cost of a funeral would pay for a house. The scale ran from \$54 to \$2,160.

The quantity of fuel that an ass could carry sold for 36 cents.

Slaves outnumbered the free population three to one, and could be bought cheap. Prices varied from \$8.25 to \$30. A skilful workman would bring about \$90. Everybody, even the poorest, was served by slave-labor.

12. *Athens and Piræus*, the city and port, although enclosed within the same fortifications, and inseparably united as a double city,—see *Note to § 40* of this oration,—were internally as unlike as possible.

“While Athens, hastily rebuilt amidst her ruins, as necessity demanded, was disorderly, devoid of plan, and full of narrow and crooked lanes, the Piræus, on the other hand, was a modern city, with large open places, roomy cloistered halls, broad and rectangular streets,—in its entirety a work of art, the creation of Hippodamus.” (Curtius, *Hist.*, II. 611.) In the city, the houses were of wood or unburnt brick, of a single story generally, and often unsightly and mean. The city contained about 10,000 houses. The public buildings were disproportionately costly. The Propylæa, or Gateway of the Acropolis, cost \$2,183,020; and the docks (see *Note* to § 99 of this oration), \$1,085,620.

“Privatus illis census erat brevis,
Commune magnum.”

HOR. *Od.* II. 15, 13.

NOTES.

XII.

ANALYSIS.

(For the filling up of this outline, see the Notes in successive sections.)

PART A.—SPECIFIC PLEA UPON THE INDICTMENT FOR MURDER.

- I. Introduction, §§ 1–3.
- II. Narration of the facts, §§ 4–20.
- III. Comments on the facts narrated, §§ 20–23.
- IV. Confirmatory, §§ 24–26.
 - a. By examination of the defendant, § 25.
 - b. By discussion of his statements, §§ 26–36.

PART B.—GENERAL ARRAIGNMENT OF THE DEFENDANT AS A TRAITOR AND TYRANT WORTHY OF DEATH, § 37 *sqq.*

- I. Narration of his political career, §§ 39–61.
- II. Refutation of his claim to favor on the score of Theramenes, §§ 62–80.
- III. Comments on the complete case, §§ 81–91.
- IV. Appeal to the jury, §§ 92–98.
- V. Peroration, §§ 99, 100.

1.—Ἄρξασθαι, H., 691. The *exordium* of the oration includes the first three sections, in which, respectively, the orator sets forth (1) the importance of the case, (2) its peculiarity, and (3) his own inability to do it justice. — ἄνδρες δικασταί, see *General Note*, 3. ἄνδρες is here used, like our

“gentlemen,” as an appellation of respect. See *Buttmann’s Gr.*, § 123, N. 6. — **κατηγορίας**, H., 574, b. — **λέγοντι**, the concluding word attracted by the introductory *μοι*: see XVI. § 13, *Note on παρασκευάσαντι*: **λέγοντα** could also have been used. — **τοιαῦτα**, the omission of *γάρ* makes the style more energetic. — **αὗτοῖς**. Although Eratosthenes only was indicted, yet the orator means to make him the scapegoat of the Thirty. Hence the frequent alternations between references to him and to them throughout this oration. — **μέγεθος**, strictly denoting magnitude, has here a qualitative force in connection with the qualitative **τοιαῦτα** = “such in enormity.” — **ψευδόμενον...δύνασθαι**, G., 52, 1; 53. For the position of *ἄν*, G., 42, Note 1. *ἄν* might have been repeated with the second disjunctive, G., 42, 3. — **ἀνάγκη**, “scarcely found construed otherwise than in this elliptical manner.” (*Buttmann’s Gr.*, § 129, N. 18.) Supply *ἐστί*. — **ἀπειπεῖν...ἐπιλιπεῖν**; notice the rhyme-like ending, *ὅμοιοτέλευτον*, — a rhetorical ornament not uncommon both in Greek and Latin rhetoricians. Compare with the introductory thought, *οὐκ ἀρξασθαι*, as amplified in this section, the remark of Cicero in beginning his oration for the Manilian law: “*hujus autem orationis difficilis est exitum quam principium invenire; ita mihi non tam copia quam modus in dicendo quærendus est.*”

2. — **ἐν τῷ πρὸ τοῦ χρόνῳ** = “aforetime,” literally, “in the time before the (present).” For **πρὸ τοῦ**, see G., 143, 2. H., 525, d. — **ἔχθραν...ἐπιδεῖξαι**, in justification of the complaint, inasmuch as false accusations were often brought by the so-called sycophants (see *General Note*, 10, *Sycophant*) against persons with whom they had no just quarrel. Compare Cicero in defence of Roscius, § 55: “*nemo nostrum est, Eruci, quin sciat tibi inimicarias cum Sex. Roscio nullas esse: vident omnes qua de causa huic inimicus venias; sciunt hujusce pecunia te adductum esse.*” — **ἔχθραν**, H., 726. — **ἥτις εἴη**, G., 68, 3, and 70, 2. — **τοὺς φεύγοντας**; in law, *φεύγω* had the technical meaning of “to be prosecuted”; hence, *ὁ φεύγων* = “the defendant.” — **ἥτις ἦν**, G., 70, 1. — **ἀνθ' ὅτου**, “in consequence of which,” H., 813; see *ἄνθ'* *ἥστινος*, XXV., § 12. — **ώς οὐκ ἔχων**. See XVI., § 8, *ώς...πεποιηκώς*, and *Note*. — **ἔχθρας καὶ συμφοράς**, the latter term is coupled with the former as being its consequent; the calamities were caused by enemies. — **τοὺς λόγους ποιοῦμαι**; *λόγοι* has sometimes in forensic use the specific meaning of *accusations*. See XXV., § 2, *ποιοῦνται τοὺς λόγους*. — **ἀφθονίας οὔσης**, G., 111.

3. — **πράξας**, G., 109, 7. The orator desires indulgence toward his maiden speech. — **τούτου**, H., 583, fine print. — **ώστε κατέστην**, see XVI., § 2, *Note on ὡστε ἐλπίζω*. The aorist is here nearly equivalent to the present, G., 30, 1, N. 1, “I am frequently quite despondent lest,” etc., and hence governs the mood of the dependent sentence like a primary tense. — **ποιήσομαι**, G., 46, N. 1. So also Sauppe and Frohberger, instead of the

common ποιήσωμαι. With his own inexperience Lysias contrasts, § 86, the ability of the opposing advocates. — δι' ἐλαχίστων, see XVI., § 9, διὰ βραχυτάτων, and *Note*.

4. — The accuser, in grim earnest, now hastens to plunge *in medias res*. The case against Eratosthenes, introduced, § 4, with the briefest reference to the accuser's blameless and trustworthy character, is put into a trenchant *narrative of facts*, concluding at § 20.

Ούμος = ὁ ἐμός. — ἐπεισθη μέν...ἔτη δέ. μέν and δέ are very often used as here, where there is either no antithesis or a weak one, merely to exhibit the antecedent and the consequent proposition in their connection. When so used μέν is untranslated. — Περικλέους. Pericles, the son of that Xanthippus who defeated the Persians at Mycale, B. C. 479, was the greatest statesman of Athens. Born of a good family, reserved and stately in his manners, well educated, and endowed with an impressive eloquence, foresighted and self-controlled, a born leader of men, but mild and liberal toward opponents, he influenced the public policy for a period of about forty years. Under his guidance the democracy of Athens realized its complete development in well-balanced institutions; while through the improvement of agriculture, the extension of commerce, the cultivation of letters and philosophy, the fortification of the city, and its ornamentation by magnificent edifices and other works of art, the period of his ascendancy was the golden age of Athens. — ἔτη, G., 161. H., 550. Cephalus had probably been dead some fourteen years. — δίκην, see XVI., *General Note*, 7. — ἐδικαστάμεθα, H. 689, b. Notice that the verb agrees with ἡμεῖς. In English, on the contrary, after a disjunctive, the verb must agree with the nearest subject. — φίκουμεν, we as a family lived. — ἀστε...ἔξαμαρτάνειν, G., 98, 1. The compound verb here in the sense of the uncompounded.

5. — συκοφάνται, see *General Note*, 10. — κατέστησαν, is this a first or second aorist? H., 416, a. — φάσκοντες, begins the principal sentence, or apodosis, H., 732. — τῶν ἀδίκων, G., 180, 2. H., 584, f. As to the fact, see Xen. *Hell.*, II. 3, 12, in Goodwin's *Gr. Reader*, pp. 65, 66: "Ἐπειτα πρῶτον μὲν, οὐς πάντες ἥδεσαν ἐν τῇ δημοκρατίᾳ ἀπὸ συκοφαντίας ὅντας, καὶ τοῖς καλοῖς καὶ ἀγαθοῖς βαρεῖς ὄντας, συλλαμβάνοντες, ὑπῆγον θανάτου· καὶ ἡ τε βουλὴ ἥδεως αὐτῶν κατεψηφίζετο, οἷς τε ἄλλοι, ὅσοι ξυνήδεσαν ἔαυτοῖς μὴ ὄντες τοιοῦτοι, οὐδὲν ἥχθοντο. — πολίτας, subject of τραπέσθαι. — τοιαῦτα λέγοντες, a condensed repetition of the clause φάσκοντες...τραπέσθαι, so as to bring out more strongly the contrast between *saying* and *doing*, which is previously implied in φάσκοντες = "alleging." — πρῶτον εἰπών, "after I have first spoken."

6. — Compare ἔλεγον and § 7, ἐπειθον, with the following ἔδοξεν; the imperfect tenses denote introductory and preparatory action, the aorist conclusive action. — μετοίκων, see *General Note*, 9. — ὡς εἰεν, G., 68, 2. —

χρηματίζεσθαι was no part of the *πρόφασις* just mentioned, but the result of it, and might well have taken *ἄν* as the apodosis of a condition here suppressed. See, however, L. & S. *Lex.*, *πρόφασις*. — **πένεσθαι**, the natural consequence of the long and exhausting war. — **χρημάτων**, for the maintenance of the Lacedaemonian garrison, and other retainers.

7. — **ἀποκτιννύναι μὲν...ήγοντο, λαμβάνειν δὲ...έποιοῦντο.** Notice the balance of the antithetical sentence in its two equal clauses, a good case of the rhetorical figure *isocolon*. See remarks on Lysias's style in the *Biographical Introduction*. Compare also with *ήγοντο...έποιοῦντο, ἀπειπεῖν...έπιλυπεῖν*, § 1, and *Note*. The orator here throws out, in the form of a comment on his preceding remark, the very proposition which he was expecting by and by to prove; but he knew that many of his hearers were ready to accept it in advance of proof. — **περὶ οὐδενός...περὶ πολλοῦ**, H., 650, b. — **δέκα.** Xenophon, as above quoted, says, § 21: *ἔδοξε...τῶν μετοίκων ἔνα ἔκαστον λαβεῖν*. This would make thirty arrests. Lysias probably states the fact more correctly. — **ἢ...πέπρακται...γεγένηται**, all forms of direct discourse. What would the indirect forms be? G., 74, 1. — **ώσπερ...πεποιηκότες**, G., 109, N. 9. Instead of *πεποιηκότι*, in agreement with the preceding *αὐτοῖς*, the nominative is used (*constructio ad sensum*) as if *ἴνα ἀπολογίαν ἔχωσιν* had preceded. See *Buttmann's Gr.*, § 144, N. 5.

8. — **τὰς οἰκίας**, H., 527, a, “the houses” of the proscribed. — **ἔβαδιζον**, compare the tense with the following *κατέλαβον*, and see *Note* in § 6 on *ἔλεγον*, etc. To enter and search a private house without a warrant (given by decree of the people) was regarded at Athens just as it is in our own country. See § 30, and compare Demosthenes's *De Corona*, § 132: *κεκραγώς, ὡς ἐν δημοκρατίᾳ δεινὰ ποιῶ τοὺς ἡτοχηκτας τῶν πολιτῶν ὑβρίζων καὶ ἐπ' οἰκίας βαδίζων ἀνεν ψηφίσματος*. — **έργαστήριον**, the shield-manufactory of Lysias and his brother. — **ἀπεγράφοντο**, “took a list.” This was the legal term to denote taking the inventory of property to which the state laid claim. H. 689. For distinction between active and middle, see L. & S. *Lex.* — **ἡράτων**, notice the descriptive imperfect here, and in *ἔφασκεν* below. — **εἰ βούλοιτο**, G., 70, 2, p. 151, examples, and 71, N. 1: the direct question was *βούλει*; — **χρήματα λαβών**, equivalent to our phrase, “for a consideration.”

9. — **τάλαντον**, see *General Note*, 11. — **οὔτε θεοὺς...νομίζει**, not a common combination in classic Greek, but reminding us of the unjust judge in the parable, “who feared not God, neither regarded man.” *Luke xvii. 2.* — **ἐκ τῶν παρόντων**, “under the circumstances.”

10. — **ώμοστεν**, G., 19, N. 4. The object clause is *λαβών...σώσειν*. — **τὸ δωμάτιον**, “my little room,” a bedchamber, probably. — **τὴν κίβωτον**, “my chest,” G., 141, N. 2. H., 527, d. — **ἀνοίγνυμι**, G., 10, 2. — **ὑπηρέτῶν**, officers attending on him. For synonymies, see VII., § 16, *note*.

11. — **οὐχ ὅστον**, supply *μένον*, “not merely as much as.” The cash portion of the seizure can be estimated from the table given in the *General Note*, 11. — **ἀγαπήσειν**, “would be glad.” — **σώσω**, *G.*, 50, 1, N. 1, and 74, 1.

12. — **ἐπιτυγχάνει**, *H.*, 511, h, for **ἐπιτυγχάνουσι**. Melobius and Mnesithides were also members of the Thirty. — **βαθίζοιμεν**, the optative may follow secondary tenses, *G.*, 70, 2, and the historic present, **ἔρωτῶσιν**, being used for the aorist, is in effect a secondary tense. — **τάδελφον**, for the *erasis*, see *G.*, 11, 1, (b), *H.*, 69, R. c: for the genitive, limiting an omitted word, *G.*, 141, N. 4. *H.*, 509, β. — **σκέψηται**, *G.*, 44, 2, and N. 1.

13. — **ώς ἦξων**, *G.*, 277, 3, and N. 2: translate, “as he would come.” — **κινδυνεύειν**, “to make a venture.” — **τοῦ γε ἀποθανεῖν**, *G.*, 262, 2. *H.*, 781.

14. — **τάδε**, *H.*, 679. — **ἴκω**, *G.*, 200, N. 3. *H.*, 698. — **εἰς τὴν σὴν οἰκίαν**, and, accordingly, under your protection, so far as you can give it. — **ἐπόλλυματ**, *G.*, 10, N. 7. These short, pithy sentences, coupled with the hasty δὲ, picturesquely represent the urgency of the critical situation. — **παράσχου**; the second aor. mid. imperative is perispomenon, when simple. *H.*, 367, a. But “the compound imperatives follow the general rule.” *Buttmann's Gr.*, p. 160. — **ταῦτα**, see note on **τάδε** above. The plural embraces everything that might be included in the single request. — **μνησθῆναι**, supply **περὶ ἐμοῦ**.

15. — **ἐμπειρος γάρ**; **γάρ** = “inasmuch as.” — **σίκιας**, *H.*, 584, c. For the (conjectural) plan of a Greek house, see Smith's *Dict. Antig. art. Domus*, p. 426. — **ἀμφίθυρος**, here with special reference to the rear or garden door. — **σωθήσειν**, quoted and explained, *G.*, p. 162. — **ἴγεομην**; as the sentence becomes prolonged and complicated by the introduction of a second hypothesis, the construction introduced with **ἐνθυμουμένω** is changed by putting in the finite verb for the sake of perspicuity. — **μέν**, εἰ; transposed by Rauchenstein on logical grounds. — **εἴη πεπεισμένος**, *G.*, 18, 1, and Note. — **όμοιως**, “all the same,” i. e. as if I made no effort to escape.

16. — **ἔφευγον**, “I took to flight,” *H.*, 702. — **τῇ αὐλειφ θύρᾳ**, the street door, strictly, “the court door,” because giving access to the **αὐλή** or inner court. — **τριῶν δὲ θυρῶν οὐσῶν**, “although there were three doors,” viz. (1) the door leading back from the men's part of the house (**ἀνδρωνῖτις**) to the women's part (**γυναικωνῖτις**). This door was called **μέσανθλος θύρα**, as between the two courts or **αὐλαῖ**; (2) the door leading from the rear of the house into the garden (**κῆπος**), and called **κηπαία θύρα**; (3) a door or gate leading from the garden into a street. — **Ἀρχένεω**, derived from **ἀρχω** and **νεῖς**, an appropriate name for a “ship-master.” — **εἰς ἄστυ**, for Archeneus lived in Piraeus. — **ἀπαγάγοι**, *G.*, 21, 2, (a).

17. — **Μέγαράδε**, *G.*, 61. *H.*, 203. Megara was about 24 miles, according to Procopius, west of Athens. Modern travellers reckon it eight hours.

— ὑπ' ἐκείνων may be construed with an implied παραγγέλλεσθαι to be supplied with εἰδισμένον: translate, “sent to Polemarchus the order customarily issued by them.” — πίνειν, H., 766. — πρὶν εἰπεῖν, G., 106, 2. πρὶν and πρότερον, like our *before*, do not necessarily imply the realization of the following idea. — δι' ἣντινα. The indefiniteness of the relative transfers itself to the antecedent, though this is specialized by the article; translate, “before informing him of any cause for which he was going to die”; literally, “the cause for whichsoever.” — πολλοῦ ἐδέησε, H., 575, a.

18. — ἀπεφέρετο, compare the imperfect with the aorist εἴασαν. — ἡμῖν, G., 184, 4. H., 598. — μισθωσάμενοι προσθέντο, both causative, H., 689, b. The body was customarily laid out (*προτίθημι*) on a bed, after having been washed, anointed with perfumed oil, crowned with flowers, and arrayed in as handsome a robe, usually white, as the family could afford. A pillow (*προσκεφάλαιον*) supported the head and back. On the day after the πρόθεσις, early in the morning, before sunrise, the corpse was carried out (*ἐκφέρω*) for the last rites, and either interred or burned. See further Smith's *Dict. Antiq. art. Funus*. — ἔτυχεν, supply ἔχων.

19. — ὥστο κτήσασθαι, G., 23, 2, N. 3. οἴουσι here, as occasionally elsewhere = ἐλπίζω. — εἴκοσι καὶ ἑκατόν, G., 77, 2, N. 2. H., 256. — θλαβον...ἀπέδοσαν, G., 19, N. 4. — εἰς τοσαύτην...ἀφίκεντο; after this we should have the *result* expressed, as usual, by ὥστε, but for the interposition of the comment καὶ...ἐποιήσαντο, which requires a change of construction. — ὥστε τὸ πρῶτον, “as soon as.”

The orator now briefly *comments upon his narrative* to bring out the full atrocity of the facts: (1) as contrasted with the meritorious character of the sufferers, § 20; (2) as repeated in numerous similar outrages, § 21; (3) and as followed by a shameless lack of compunction on the part of the criminals, § 22; who, however, can show nothing to disprove the charge of wanton lawlessness, § 23.

20. — ἐλέου, G., 171. H., 574, c. — ὥσπερ οὐδ' ἂν, G., 42, 3, N. 2. — ἀδικημάτων, H., 566. — πάσας, Rauchenstein adds μέν. — χορηγίας, Lysias was a μέτοκος, and the principal liturgy (see *General Notes*, 5 & 7) mentioned as performed by such was the choregia at the Lenaea. — εἰσφοράς, see *General Note*, 8. — λυσαρμένους, the active voice means to release *on receipt* of ransom; the middle (causative, H., 689, b), to make one do this, i. e. to release *by payment* of ransom. This was accounted a meritorious act of humanity, or φιλανθρωπία. — οὐχ ὅμοιως, i. e. quite differently, an instance of the rhetorical figure *litoτος*, or the assertion of a fact by the denial of the contrary. — ἐπολιτεύοντο, H., 690, a.

21. — ἀτάφοις; as it was supposed that the departed spirit was not at rest till the body had been buried, the neglect of the rites of burial was considered a great inhumanity. — ἀτίμους [τῆς πόλεως], G., 180, 2, N. 1.

H., 584, b, fine print. See *General Note* to Or. XXV. 3, *Atimia*. — **θυγατέρας**; wealthy citizens not infrequently gave marriage portions to poor maidens. *Lysias*, XIX., § 59: ἔτι τοίνυν καὶ λοιὰ τισὶ τῶν πολιτῶν ἀποροῦσι συνεξέδωκε θυγατέρας καὶ ἀδελφάς. The spoliations and executions of the Thirty had prevented many from portioning their own daughters, or those of neighbors.

22. — **ἔγώ δ'**, emphatic. — **ἐβουλόμην** *ἄν*, G., 226, 2, and examples, H., 752. But *ἄν* might be omitted, G., 49, 2, Note 3, (c). — **οὐκ ἐλάχιστον**, a *litotes*, H., 665, a; see *note* on *οὐχ ὁμοίως*, § 20.

23. — **τοιαῦτα**, translate: “but now neither as regards the city nor me can they show such things as they allege”; literally, “such things do not exist for them.”

24. — The facts, as now narrated and commented on, the orator proceeds to *establish* by an interrogation of the defendant, § 25, who was obliged to take the stand and answer. See *General Note*, XVI. 8. — **ἀναβιβασάμενος... ἔρεσθαι**, translate, “I wish to put him on the stand, and question him.” — **ἀσεβές**, “sinful,” as intercourse with a polluted person. — **εἶναι**, more emphatic than *ἄν εἶναι*. — **πρὸς αὐτὸν τοῦτον**, supply *διαλέγεσθαι*. — **ὅσιον καὶ εὐσεβές**; “a sacred and pious thing”: *ὅσιος*, says Trench, denotes fidelity to the eternal sanctities, *εὐσεβής* denotes piety, both towards God and in the fulfilment of human relations. — **ἀνάβηθι**, “step up.” — **ἀπόκριναι**; distinguish different forms of this word by different accents, H., 367, R. e. — **ἐρωτῶ**, G., 61, 3. As distinguished from its synonyme *αἰτέω*, used in § 18, **ἐρωτάω** means to ask a *question*, while *αἰτέω* means to make a *request*.

25. — **ἀπήγαγες**, contrast with the tense of the answer, *ἐποίουν*. See also XXV., § 15, *ἀπαχθεῖς*, and *note*. — **ἢ οὐ**, G., 29, N. H., 104, a. — **ἴνα ἀποθάνωμεν**: in deciding what verb is to be supplied before *ἴνα*, observe that **ἔλεγες** *ἴνα* is not Attic Greek (G., 45, N. 5, b), but **ἀντέλεγες** as a verb of striving may govern a final clause, as in § 26. As Eratosthenes was claiming to have opposed the death of Polemarchus, and yet had arrested him, Lysias touches his inconsistency with the satirical question, whether it was their not dying or their dying that he had opposed. — **Ἡγούμενος**, G., 109, 4, agrees with the subject of the implied **ἀντέλεγες**.

From this examination the orator now keenly draws *proof of his charge*, §§ 26–36, showing, (1) the defendant’s claim as the advocate of lenity is confuted by his conduct in making the arrest, § 26. (2) His allegation of constraint is not only false, but improbable, § 27. (3) It is absurd to let the members of a ring like the Thirty excuse themselves at each other’s expense, § 28. (4) This would leave no responsibility anywhere, § 29. (5) The defendant’s animus is clear from the fact of the arrest on the street, an unnecessary act of tyranny, § 30. (6) Especially since it was not the act of an inferior, but of a superior, who could have avoided the act had

he chosen, § 31. (7) Who in this case could easily have saved the victim by timely information, § 32. (8) Whose acts must therefore weigh more with the jury than his unsupported assertion, § 33. (9) The argument on the evidence concludes with a repeated attack on the defendant's veracity, § 34. And (10) the orator puts this part of the case to the jury with a reminder of the importance of their verdict as a precedent, § 35, and with an appeal to a previous decision in which righteous public indignation had prevailed, § 36.

26. — *Εἰτ',* “then,” indignantly. — *συνελάμβανες*, the imperfect, on account of the preceding *ἀντέλεγες*, instead of the momentary *συνέλαβες*, because the orator, to mark more strongly the inconsistency of the two actions, represents them as cotemporaneous, H., 701. — *ἀντιλέγειν φήσις*, G., 15, 3; the infinitive contains the prominent idea. Notice the inverted order in which the contrasted verbs *ἀντιλέγειν* and *ἀπήγαγεν* are made to stand in their respective clauses for emphasis.

27. — *τοῦτο* is in apposition with the clause *ὡς αὐτῷ προσετάχθη*. — *δή που*, “I imagine,” H., 852, 5. — *ἐν τοῖς μετοίκοις*, “in the case of metoeci.” — *ἐλάμβανον*, the imperfect is here used to deny a past intention, G., 11, N. 4. H., 702. — *τῷ* = *τίνι*. — *ὅστις*, “one who.” — *οἷς*, G., 153, with Notes 1 and 2. H., 808, 2, and 810 with R. a.

28. — *ἄν...* *ἀναφέρωσι*, *ἄν*, not *ἄν*, G., 50, 1. — *πῶσ...* *ἀποδέχεσθαι*, G., 50, 1, R. 1. — *ὑμᾶς* *εἰκός* (transposed by Rauchenstein), emphasizes *ὑμᾶς*.

29. — *αὐτῆς*, “than it,” a *constructio ad sensum*, as though the *government* of the Thirty had been already mentioned. — *ὑφ' ήσ*, referring to the *ἀρχὴν ισχυροτέρα*. — *παρὰ τοῦ* = *παρὰ τίνος*. — *καὶ λήψεσθε*; *καὶ* in such connections, says Arnold, may be translated by “at all,” or “possibly.” — *εἴπερ ἔξεσται*, G., 49, 1, N. 3.

30. — *καὶ μὲν δή*; H., 851, a. *δή* calls attention to the important fact mentioned in § 16, that Polemarchus was arrested on the street: translate, “and you will observe, that,” etc. — *κατὰ τὰ τούτοις*, so Cobet, with others, reads for *καὶ τὰ τ.*, in order to avoid a *zeugma* in *σώζειν*, which (using *καὶ*) would have to be understood differently with its two accusatives. — *τούτοις*, G., 188, 3. H., 600. — *παρόν*, G., 278, 2. H., 792, a. — *πάσιν...* *ὅστις*; *ὅστις* rather than *οἷς* is the proper relative after *πάντες*. Reference is here made to those citizens whom the Thirty compelled to aid in illegal acts: see *Introd.* Socrates alone had dared to brave the wrath of the Thirty by refusing compliance with such requisitions. — *όργιζεσθε*; Francken considers *ώργιζεσθε* preferable.

31. — *καίτοι*, see XVI., § 5 and *note*. — *διὰ τὴν ἑαυτῶν σωτηρίαν*, “in order to save themselves.” — *κίνδυνος...* *γενέσθαι*, translate: “It would have been dangerous for them, if sent, not to go, and if they had made an arrest, to deny the fact.” *ἢν* for *ἄν* *ἢν*, G., 49, 2, N. 3, (a). *μὴ ἐλθεῖν*,

H., 837. — *ἔξάρνοις*, predicate after *γενέσθαι*, in agreement with *καταλαβοῦσιν*. See *λέγοντι*, § 1, and *note*. “When the omitted subject of the infinitive stands with the preceding verb only as an immediate or remote object, the adjuncts connected with the infinitive must in like manner stand in that oblique case in which their subject thus stands as object.” Butt-mann’s *Gr.*, § 142, 2, (b). — *ταῦτα*, “these assertions.” — *εἰχεν*, “would have had”; *ἄν* may be supplied — *βουλομένων*, *G.*, 109, 6.

32. — *χρῆν... γενέσθαι...* *συλλαμβάνειν*; observe the distinction between the present and the aorist of the infinitive, *G.*, 15, 1, R., and 23, 1. — *γιγνομένοις*, distinguish from *γενομένοις*.

33. — *τούτε*, the court. — *τὴν ψῆφον*, see *General Note*, 3, *Dicasi*. — *ἀπασι γεγενημένα*, construed as object of *λαμβάνοντας*. — *λεγομένων*, i. e. in the conclave of the Thirty. — *τεκμήρια*, accusative in apposition to the relative clause. — *παρεῖναι*, another odious feature of the government of the Thirty; under the democracy publicity was characteristic of all official proceedings. — *παρ’ αὐτοῖς*, “by ourselves,” or, “at home”; a grim play upon words suggested by the preceding *παρεῖναι*. For the pronoun, *G.*, 146, N. 2. H., 672, a. — *πάντα τὰ κακά*, “all the evils,” i. e. under which the city has suffered. Compare with *πάντα κακά*, § 57, “all evils,” absolutely so. — *πάντα τάγαθά*, “all the good things,” i. e. that they allege.

34. — *τοῦτο*; i. e. *ἀντειπεῖν σε*. — *συνειπών*, *G.*, 226. H., 751. Notice the inverted arrangement, which here brings together the antithetical words *συνειπών* and *ἀντειπεῖν*, and compare *note* on *ἀντιλέγειν*, § 26. — *φέρε*, interjectional, *G.*, 84, N. 1. — *τι ἄν*, *G.*, 42, N. 2. Rauchenstein takes the point of the following appeal to be, that even if the brothers or sons of Eratosthenes were on the jury, they could not acquit him, so compromised is he by his own admissions. Others, as Francken, less correctly, it seems, refer *αὐτοῦ* to Polemarchus. The imperfects *ἐτυγχάνετε* and *ἀπεψηφίζεσθε*, referring to present time, are to be preferred, with Kayser, to the aorists of the common text. See *G.*, 49, 2. With *ἀπεψηφίζεσθε* supply *ἄν*, from *τι ἄν*, above. What is its protasis? — *ἀδίκως συλλαβεῖν*, the orator strains a point here, as Eratosthenes evidently referred the *ἀδίκα*, § 25, only to the decree of death.

35. — *καὶ μὲν δῆ*, see the same in § 30, and *note*. — *ἀπίασιν*, *G.*, 200. N. 3. H., 699, a. — *ἔξαμάρτωσιν*, *G.*, 20, N. 1, last part, and 62. H., 760, a. — *ἄν ἐφίενται*, *G.*, 171, 2. H., 576. *Crosby, Gr.*, 373, 2, remarks on “the ease with which verbs of motion pass into those of simple effort and desire. Thus *ἴεμαι*, and, more commonly, *ἐφίεμαι*, *to send one’s self to*, *to rush to*, *to strive for*, *to seek*, *to desire*.” — *ὑμῖν*, *G.*, 186. H., 603. A powerful argument for punishing traitors, if their impunity involves the dilemma, that they must either be tyrants over the loyal, or partners in

privilege with them. — *εἰ...ἀφήσουσιν*, *G.*, 50, 1, N. 1. — *ἢ πού*, the enclitic *πού* is used, says Arnold, “when anything is assumed in a half-questioning way, that the speaker may build something on the *assent* of the person appealed to.” It answers to our *I imagine*, or *I suppose*. — *κηδομένους*, a conjectural reading of Rauchenstein. Frohberger reads *τιμωρούντας*; Cobet, *τιμωρουμένους*.

36. — *οὐκ οὖν δεινόν*, supply *ἄν ήν*, *G.*, 49, 2, N. 2. — *ναυμαχοῦντες*, off the Arginusæ islands, about fourteen miles southeast of Mytilene in Lesbos, B. C. 406. In this, the greatest naval battle of the war, the Lacedaemonians lost seventy-seven vessels, or more than half their fleet. — *τοὺς ἐκ τῆς θαλάττης*, about a thousand men, according to Grote, were left to perish on the twenty-five Athenian vessels that were disabled in the action. — *θενάτῳ ἐγημιώσατε*, six were thus dealt with. Grote’s opinion upon the whole case is, that the generals were guilty of inhuman neglect, but that the overruling of constitutional provisions, in order to force through the assembly the decree of condemnation, was as discreditable to the Athenians as it was exceptional in their history. See Grote’s *History*, VIII. 185–190, 205, 208–210. Curtius says, that if any one was to blame for the death of the wrecked, Theramenes was the guilty man; yet he took advantage of the opportunity for his party purposes, to requite the kindness shown him by the generals, in abstaining from blaming him in their despatches, by coming forward as their accuser. *Hist.*, III. p. 539. It was a difficult and delicate task for Lysias to turn an unconstitutional act to account as a precedent, but he does it skilfully. Siding so far with that class of his hearers who had justified the generals as to adopt their principal argument, *ἐνίκων ναυμαχοῦντες*, and then propitiating the other party by the phrase *χρῆναι...λαβεῖν*, which veils the irregularity of their proceeding, he seems to press the argument from consistency fairly enough: “Would it not be strange to have executed victorious commanders, and not these traitors?” — *θανάτῳ*, *G.*, 188. *H.*, 607. — *ἀρετῇ*, *H.*, 611. — *ἰδιώται*, acting as members of the oligarchical clubs. — *ἐποιησαν ἡττηθῆναι*, *G.*, 260. *H.*, 764, b. Grote says of the disaster of Ægospotami, “It was the general belief afterwards, not merely at Athens, but seemingly in other parts of Greece also, that the Athenian fleet was sold to perdition by the treason of some of its own commanders. . . . Indeed, we may add that the utter impotence and inertness of the numerous Athenian fleet during the whole summer of 405 B. C. conspire to suggest a similar explanation.” (*Hist.*, VIII. 220, 221.) “Athens,” says Curtius, “fell by her own hand. . . . Party intrigues delivered into the hands of the foe the last fleet of the city, and in the end the city herself. The victory which terminated the war was a victory of treason.” (*Hist.*, III. 581). — *κατέστησαν*, see the same, § 5, *note*. — *ἔκουτες* agrees with the subject of the leading verb, where we should make

it agree with the subject of the dependent *ἀποκτιννύναι*. For the tense of the infinitive, compare *ἀντιλέγειν φήσ*, § 26, and see *G.*, 15, 3. — οὐκ ἔρα χρή; for greater energy this fresh interrogative breaks up the hypothetical interrogative construction, which would normally end, *αὐτοὺς καὶ τοὺς παῖδας ταῖς ἐσχάταις ζημίαις οὐ* (not *μή*, *H.*, 842) *κολάσετε*; *οὐ κολάσετε* = *ἀποψηφίσεσθε*. *H.*, 886. In the sequel, however, “the sons, even of such among the Thirty as did not return, were allowed to remain at Athens, and enjoy their rights of citizens unmolested; a moderation rare in Grecian political warfare.” (*Grote, Hist.*, VIII. 294.)

37. — Here begins the second and larger part of the oration. The orator passes (observe the transition from *τῷ φεύγοντι* to *παρ' αὐτῶν*) from the *specific accusation of murder* to a *general arraignment* of Eratosthenes as responsible for the sum of outrages perpetrated by the ring of usurpers to which he belonged. See Analysis.

The course of thought from this point to § 62 is as follows: The accusation now preferred expresses but a fraction of the defendant's guilt, as the associate *τοιούτων ἀνδρῶν*, § 37. Not even the usual subterfuge, the plea of past merits, can avail, § 38, culprits, whose guilt, as stated in §§ 39, 40, is so enormous, that to defend them argues equal guilt, § 41; for the recent outrages are but the conclusion of a long career of iniquity, § 42. To substantiate this assertion, the orator goes into a review of the political career of the defendant, and brings out its salient points to exhibit him as from first to last an enemy of the democratical constitution and of the interests of his country, viz. (1) as an agent of the first revolution in the time of the Four Hundred, § 42; (2) as a member of the usurping directory of the Five Ephors, §§ 43-47; (3) as one of the Thirty Tyrants, §§ 48-53; (4) as a supporter of the Ten, §§ 54-61.

ἡξίουν, “used to think” (and still think). — *μέχρι γάρ τούτου*, “(only) so far.” — *θανάτου*, observe the emphatic position. — *τῷ φεύγοντι* construe with *εἰργάσθαι*. — *ταύτην*, see *ταύτην* and *note*, *XXV.*, § 13. — *δίκην δοῦναι δύναιντ' ἄν*, observe the alliteration.

38. — *οὐ...προσήκει*, = “for, observe, he has a right to do not even this.” The criticism, *οπερ...έστιν*, has a satirical point. See *XVI.*, § 9. — *λέγοντες...ἔξαπατώσιν*, by anacoluthon for *λέγοντας ἔξαπατᾶν*, in order to assert the fact more positively than by the infinitive.

39. — *ἐπει*, used elliptically = “since [if they have such a record] bid him,” etc. *ἐπει* thus used = *γάρ*. — *ἀποδεῖξαι*, see *note* on *ἀπόκριναι*, § 24. — *ἀπέκτειναι*, 1,500, it was said, and without trial. — *παρέδοσαν*, the whole navy except twelve ships, which Lysander conceded the Athenians as an act of grace. — *οἷαν τὴν ὑμετέραν*, a brachylogy (*H.*, 881) for *οἷα ἦν ἡ ὑμετέρα*, *ἥν*, *H.*, 816.

40. — *ἀλλὰ γάρ*, elliptical = “but [how would such questions confound

him !] for," II., 870, a and d. The construction with δ could have continued as in § 39, but the orator is kindled by these hateful reminiscences, and breaks into a more vehement style. — **πολεμίων**, G., 174. H., 580, a. — **ἀφείλοντο**; for an account of the manœuvre by which the Thirty disarmed the citizens, except their own adherents, see Xen. *Hell.*, II. 3, 18-20, Goodwin's *Gr. Reader*, p. 67, and Grote, *Hist.*, VIII. 247. — **οἰα...κατέσκαψαν**, brachylogy for **οἰα...τείχη ἦν**, **ἀ κατέσκαψαν**; Rauchenstein and Cobet read **οἰα τὰ τῆς**; the Long Walls demolished after the capture of Athens extended southwest from Athens to Piræus. They were designed to secure the maritime power of Athens by giving free communication at all times with her harbors. They were forty stadia (about four and three fifths miles) in length, and some twelve or more feet thick. The space between them, five hundred and fifty feet in width, was occupied by houses on both sides of a carriage road. The northernmost wall was built B. C. 457 and 456; the other at a subsequent period prior to 431. The wall of Piræus was built, prior to 471, under Themistocles. It was sixty stadia in circumference (about six and nine tenths miles), thirty feet in height, and sixteen feet thick, all of squared stones crammed with metal. — **οἵτινες**, "men who," H., 681, b. See *ὅστις*, XXV., § 17, and *note*. — **φρούρια**, fortified places, like Oenoë, northwest, Decelea, northeast, and Sunium, southeast of the city, are probably referred to, inclusively with the fortified harbors and the city itself. — **οὐδὲ...Δακεδαιμονίων**, see § 70. — **περιελον**, distinguish the idea of time in this tense from that in *ἐνδιμιζον*.

41. — **πολλάκις οὖν ἔθαύμασα**, G., 30, 1, N. 1. — **τόλμης**, G., 173. H., 577. — **αὐτοῦ**, according to Francken's conjecture, instead of **αὐτῶν**, as the following section refers specially to Eratosthenes. — **πλήν**, H., 626, R. r. — **ἐνθυμηθῶ**, G., 62, and Rem., with 20, N. 1. — **πάντα τὰ κακά**, "all the evils" (that have been done); see *note* on the same, § 33.

42. — **ἐπὶ τῶν τετρακοσίων**: in the year 411, while a large Athenian armament was assembled at Samos, which had become the headquarters of the fleet, and the base of operations for the remainder of the war, the machinations of Pisander and others of the officers, at the instance of Alcibiades, effected a brief revolution in Athens, by which the democratical constitution was subverted, a century after its institution by Clisthenes, and an oligarchy was set up. This "temporary calamity, which so nearly brought Athens to absolute ruin, called the Oligarchy of Four Hundred," lasted from February or March to July, 411. Says Grote: "It was only by a sort of miracle — or rather by the incredible backwardness and stupidity of her foreign enemies — that Athens escaped alive from this nefarious aggression of her own ablest and wealthiest citizens." See *Hist.*, VIII. 7-83. — **καθιστάς**, G., 10, N. 2. Cotemporaneously, it would seem, with the oligarchical machinations at Samos and Athens, Eratosthenes and

others, while on service at the Hellespont, had endeavored to gain their squadron to the service of the revolutionary party, but, not succeeding, had been obliged to flee. — **τριήραρχος**, see *General Note*, 6. Rauchenstein takes the words *τριήραρχος... ναῦν* as an imputation of unlawful conduct. Perhaps rather the orator intimates how thoroughly even then Eratosthenes was repudiated, not only by the fleet, but even by his own crew. Here the full force of the *οὐ γὰρ νῦν πρῶτον* appears. After Eratosthenes's part in that notorious conspiracy of eight years before, those who now speak *ὑπὲρ αὐτοῦ*, § 41, cannot be excused as ignorant of his real character, but are as bad as he. — **οὐδέν**, G., 160, 2. H., 848, a.

43. — **παρήσω**; assuming it to be of a piece with things before and after. — **ἡ ναυμαχία**; the affair of *Ægospotami* was not so much of a battle as a surprise, the crews of nearly the whole fleet being ashore and dispersed. — **ἔθειν... ἥρξαν**, explanatory of the clause *πέντε... ἔταιρων*. — **ἔφοροι**, see *Introd.* — **κατέστησαν ὑπό**: “Many verbs of the active form in which the idea of *suffering, being affected*, is predominant, may be construed wholly like passives, i. e. with *ὑπό* and the genitive. They then serve to supply the place of less usual passives.” *Buttmann's Gr.*, § 134, 2. — **ἔταιρων**, these *ἔταιροι* were members of *ἔταρεῖαι*, or clubs. These clubs, organized for party purposes, had kept alive the faction which had won a brief triumph in the ascendancy of the Four Hundred, watching for the opportunity of another revolution. — **συναγωγέis**; in this capacity they would hold meetings of the citizens and address them in favor of an oligarchical constitution. — **Κριτᾶς**: it was a hard blow at Eratosthenes merely to couple with his a name so hateful to most Athenians as that of Critias. “*Noscitur a sociis.*” This man, well-born and rich, a pupil of Socrates, and possessed of some literary culture, as well as decided political ability, was cursed with “not merely an unmeasured and unprincipled lust of power, but also a rancorous impulse toward spoliation and bloodshed, which outran even his ambition, and ultimately ruined both his party and himself.” *Grote, Hist.*, VIII. 234. Curtius characterizes him as “a literary pretender, whom all his culture served morally to deteriorate,” and “a criminal, who at last shrank from no act however vile and base.” *Hist.*, III. p. 575.

44. — **φυλάρχοις**; these regularly commanded the cavalry. The cavalry, as a class, comprised the wealthiest men at Athens, and remained, as a class, staunch adherents of the Thirty through thick and thin. See XVI., § 6, with *Introd.*, and *General Note*, 1. — **παρήγγελλον**, i. e. to their various partisans. The aorist *κατέστησαν* denotes a single act, the imperfect *παρήγγελλον* a repeated act. Is this *κατέστησαν* the first, or the second aorist? — **ψηφιεῖσθε... ἔσεσθε**, G., 45 and Rem. — **πολλῶν**, supply *ἀγαθῶν*.

45. — **τοῦτο... ἡπίσταντο**, “for of this they were especially aware.” — **ἔσονται**, compare *δεήσει* and *note*, XVI., § 15. — **πραττόντων**, supply *ὑμῶν*.

G., 110, N. 2. H., 791, a. — **κακῶν**, construe with *ἀπαλλαγῆναι*. — **ἐνθυμήσεσθαι**, G., 27, N. 1.

46. — **ἐφόρων**, H., 572. Compare *τῆς πρώτης*, and *Note*, XVI., § 15. — **Ἐρατοσθένους ἀκούσαντας**, not, “who heard E.,” but “who heard [it] from E.” G., 171, 2, N. 1. H., 576, a.

47. — Observe the repeated imperfect in this section, G., 49, 2. R. (a), (b). — **αὐτῶν**, i. e. their leaders. — **ἐκόλαζον**, G., 200, N. 2. H., 702. — **δρκους**, whence they were called *συνωμόται*, § 43. — **εἰ ἐσωφρόνουν**, repeated with a purpose. — **ἐπὶ** here denotes the condition, H., 640, e. **ἐπὶ...κακοῖς**, = “to the disadvantage of.” — **πιστούς**, “binding.” — **παρέβαινον**; the thrice-repeated *ἄν* is, of course, implied here. — **τοσαῦτα**, “thus much,” nearly equivalent, in such connections, to “no more.” — **κάλει**, speaking to an officer of the court.

48. — **ἀρχήν**, i. e. that of the Thirty. — **ἀγαθοῦ**, neuter gender, G., 170, 2. H., 574, a. — **ἐχρῆν** [*ἄν*], quoted and explained, G., p. 100. Compare note on *χρῆν*, § 32. Frohberger plausibly conjectures that this suspicious *ἄν* should be *αὐτὸν*. — **βουλῆ**; on the subserviency of this packed senate, see *Introd.* — **μηνυτήν**, satirically said, as informers were encouraged by the Thirty. — **εἰσαγγελιῶν**, see note on *δίκη*, XVI., § 12. — **εἰν...μηνύουσιν**; for the variation, see G., 247, N. 1. H., 734, b. — **Βάτραχος**, “Frog,” a fit name for such a wretch, whom Lysias, VI., § 45, styles *ό γοῦν πάντων πονηρότατος Βάτραχος πλὴν τούτου*. He came from Oreus in Eubœa. After the restoration of the constitution, he did not dare to reside in Athens under the amnesty, but emigrated.

49. — **καὶ μὲν δῆ**, see the same, § 30, and *note*. — **ὅσοι**; mark the distinction between this definite relative and the following indefinite **όπέσοι**, the same as in Latin between *quot* and *quotquot*. The change from the definite to the indefinite intimates that while it is quite clearly ascertained who were ill-disposed, it is very indefinitely known if any were well-minded. — **οὐδὲν ἔλαττον είχον**, a *litotes*, equivalent to “profited.” See *οὐχ ὥσπεις*, § 20, and *note*. — **σιωπῶντες**, “if silent,” G., 277, 4. H., 789, e. — **ἔτεροι**, “other members” [of the party]. *Buttmann, Gr.*, § 127, 10, remarks: “*Ἄλλος* without the article is the Lat. *alius*, *another*; *ἔτερος* without the article has the same meaning with a stronger expression of *difference*,” etc. The orator’s idea is, the silent partners shared the profit of those outrages with the active partners, and must therefore share the guilt. — **ἄν**, governed by *μείζω*. The relative clause **ἄν...πόλει** stands in the relation of an accusative to the preceding participles, H., 810. — **οἶν** **τὸν ἥπατον**, supply *ἄν*, G., 49, 2, N. 3, (a). What is the suppressed protasis? G., 52, 2. — **εὗνοι φασιν εἶναι**, “say that they were well disposed,” i. e. during those evil times. G., 203, N. 1.

50. — **ὅπως...φανήσεται**, touches the inconsistency of E.’s plea with the

claim ἀντέλεγον advanced in § 25. Translate: "I am afraid then he will not appear opposing," etc. *G.*, 46, N. 4. *H.*, 756, a. — εἰ δὲ μή, "otherwise," i. e. but if he opposed them, as previously claimed. *G.*, 52, N. 2. *H.*, 754, b, *fine print*. — ἐνταυθοί, a more emphatic form of ἐνταῦθα, formed, says *Buttmann, Gr.*, § 116, 8, by adding to ἐνταῦθα the demonstrative *i*, giving both ἐνταυθί and the more common ἐνταυθοί. — δῆλος ἔσται ὅτι; a blending of two constructions, the impersonal δῆλον ὅτι with a clause (as in XVI., § 11) and the personal δῆλος ὡς (see XII., § 90) with a participle, as in *G.*, 113, N. 1. — ἐναντιούμενος, *G.*, 109, 6. The following sentence intimates that he sided with Theramenes as against Critias.

51. — ὡς ἀμφότερα ταῦτα...παραστήσω, "as I will prove in both of these respects." — καὶ here = *atque*, "and I will also show," etc. — γιγνομένας, *G.*, 16, 2. — ὅπότεροι [μόνοι]: if Reiske's conjectural *μόνοι* be accepted, then the sense is, "which of the two parties — i. e. among the oligarchs — exclusively."

52. — καὶ γάρ, *H.*, 870, d. — κάλλιον [ἄν] ἦν; there is no good reason for objecting to *ἄν*, though it is not necessary. See note on *κίνδυνος γὰρ ἦν*, § 31. — ἀνδρὶ ἄρχοντι: "The Greeks often connect with those personal appellations which denote an occupation or character (as *herdsman, judge, etc.*) the words *ἀνήρ* and *ἀνθρωπος* in the manner of adjectives, whenever those are to be taken as referring to personal individuals, and not as mere appellatives." *Buttmann, Gr.*, § 123, N. 6. *ἀνήρ ἄρχων* = a man that is a ruler; where we should say, simply, a ruler. Compare *Maithew* xx. 1, *ἀνθρώπῳ οἰκοδεσπότῃ*, A. V., "a man that is a householder." — Θρασυβούλου: this noble patriot, well named the "Bold Counsellor" (*θρασύς — βουλής*), pitted himself with a puny force against tyranny in the height of its power. To him was chiefly due, not merely the restoration of Athenian liberty, but its healthful working afterwards. Says Grote: "The feature which stands yet more eminent in his character — a feature infinitely rare in the Grecian character generally — is, that the energy of a successful leader was combined with complete absence both of vindictive antipathies for the past, and of overbearing ambition for himself." *Hist.*, IX. 367. — Φυλῆν, see *Introd.*; also XVI., § 4, and *note*. — ἐπιδεξασθαν...εὐνοιαν: such good-will was shown to Thrasybulus by those that were discontented with the government of the Thirty, that, in the few days which intervened between his occupation of Phyle and his seizure of Piraeus, his force swelled, according to Xenophon, from seventy men to one thousand. — τοὺς ἐπὶ Φυλῇ: on account of the elevated position of Phyle, *ἐπί*, "on," was regularly used with it, instead of *ἐν*, "in." — εἰς Σαλαμῖνα καὶ Ἐλευσῖνάδε: in connection with the preceding word, 'Ἐλευσῖνάδε = *eis* 'Ἐλευσῖνα, gives a pleasing variation both of sound and form. Salamis, on the island of the same name, was situated nearly opposite and west of Piraeus, from which it

was separated by the narrow strait where the Greeks, B. C. 480, with 366 vessels, won the famous victory over Xerxes' fleet of more than 1,000. The more ancient Salamis of the Telamonian Ajax was built at the southern end of the island. Eleusis, northwest of Athens on the road to the Isthmus, and a little more than half-way on the road from Athens to Megara (see note on *Μέγαράδε*, § 17), stood on a hill facing the broad bay of Eleusis, which, enclosed on three sides by the shores of Attica, was bounded on the south by the island Salamis opposite Eleusis. It was celebrated for the sanctuary of Demeter, and the Eleusinian mysteries celebrated annually in her honor. For an account of the trick by which the Eleusinians were seized, see Grote, *Hist.*, VIII. 266–268; Xen. *Hell.*, II. 4, 8–10; Goodwin's *Gr. Reader*, p. 77. Compare Lysias, XIII., § 44: *ἴστε μὲν γὰρ τοὺς ἐκ Σαλαμίνος τῶν πολιτῶν κομισθέντας, οἷοι ἦσαν καὶ δύοι, καὶ οὕτω δλέθρῳ ὑπὸ τῶν τριάκοντα ἀπώλοντο. ίστε δὲ τοὺς ἐξ Ἐλευσίνος, ὡς πολλοὶ ταύτη τῇ συμφορᾷ ἔχρησαντο. — αὐτῶν...θάνατον*, G., 173, 2, Note. H., 583, *fine print*.

— **κατεψηφίσατο**: Critias was the master-spirit in this outrage, which is here charged solely on Eratosthenes. In the condemnation of these captives Critias had gone through the form of taking a vote of the Three Thousand (a body of citizens, whom, on the score of their supposed oligarchical sentiments, the Thirty had invested with the political franchise). See XXV., § 22. But where the Three Thousand were assembled to give their verdict, the Lacedæmonian garrison were at hand under arms, and any dissentient from the death-sentence, which Critias ordered to be given by open ballot in his presence, would have been put to death. The orator therefore, without alluding to the coerced participants in that crime, many of whom probably were among his hearers, justly treats the act of many as the crime of one.

53. — **ἥλθομεν**: all that Lysias says of his own noble part in the war of liberation is comprised in this modest reference of the plural number. See *Introd.* — **αἱ ταραχαὶ**: with this euphemism the orator prudently veils two sharp encounters, the one a surprise of the camp of the Thirty between Phyle and Acharnæ, and the other the battle of Munychia, in which, together, Thrasybulus inflicted a loss of about two hundred slain. Some of the defeated party were doubtless members of the jury. — **οἱ λόγοι**: during the truce which was granted for burying the dead, says Xen. (*Hell.*, II. 4, 19) *προσιόντες ἀλλήλοις πολλοὶ διελέγοντο*. See especially the speech of the herald Cleocritus, *ib.* 20–23. Goodwin's *Gr. Reader*, p. 80. — **ἔστεθαί**, "that we should be." — **ἔδειξαμεν**, "showed," i. e. by our acts in the sequel. — **αὐτούς**, i. e. the city party. It does not appear, however, that the force of Thrasybulus, which was quite indifferently armed, was able to do more than to repel the attack made upon them by the Thirty. But they abstained from stripping the slain of their clothing, in token of respect to their countrymen.

54. — *οἱ δέ*, i. e. the forces of the oligarchs. — *ἐξέβαλον* : the deposed tyrants retired to Eleusis. See *Introd.* — *ἄρχοντας...εἴλοντο*, namely, the Ten, “one from each phyle,” says Xenophon (*Hell.*, II. 4, 23). On this attempt at a middle way between tyranny and democracy, see Grote, *Hist.*, VIII. 272. — *μισεῖσθαι...φιλεῖσθαι*, see note on *ἀπειπεῖν...ἐπιλιπεῖν*, § 1. What form of the finite verb does the infinitive here represent? *G.*, 41, 1. The protasis is involved in *δικαῖως*, i. e. *δικαῖως ἀν ἔχοι, εἰ, κ. τ. λ.* *G.*, 52, where see the last example quoted, p. 111.

55. — [*ό τῶν τριάκοντα γενόμενος*]: this is probably a mere gloss which has crept into the text, since Phidon has just been mentioned, § 54, as one of the Thirty. — *Δαμπτρέύς*, of Lamptra; there were two Attic demes of this name. Upper Lamptra was at the southeast extremity of Mt. Hymettus, three or four miles from the sea, and Lower Lamptra on the coast. Of Epichares and Hippocles little or nothing is known. Grote (*Hist.*, VIII. 271) names Eratosthenes also as one of the Ten. If so, it is hard to see how Lysias could have omitted to make a point of it. Instead of that he limits himself to saying, § 58, that Phidon, as leader of the Ten, pursued the previous policy of Eratosthenes. As the Ten, according to Lysias, were appointed in the supposed interest of a conciliatory policy, and as Eratosthenes is not mentioned among them, the clear implication of Lysias’s statements is, either that he was not regarded even by moderate oligarchs as eligible with such an object in view, or, rather, that he was altogether opposed to it. It is clear, however, that Eratosthenes remained in the city after the deposition of the Thirty; and the aim of this portion of the orator’s argument is to represent him as a silent partner in the misgovernment of the Ten. — *Χαρικλεῖ*, characterized by Grote as a “furious and unprincipled politician,” *Hist.*, VII. 198. — *αὐτοί*, an emphatic “they.” *G.*, 145. *H.*, 669, b. — *τοῖς ἐξ ἀστεος*, *G.*, 188, 5. *H.*, 604. — *ἐποίησαν*; distinguish from *ἐποιήσαντο*, *H.*, 690.

56. — *οῖς*; Scheibe’s reading; the common text is *οῖ*, for which Rauchenstein reads *ῷ*. — *ἐπεδεξάντο*, *H.*, 688. — *ἐστασίαζον*, at the time when they deposed the Thirty. — *οὐδέ...ἐλύπουν*: compare Xenophon’s comment on the execution of the citizens of Salamis and Eleusis: *ἢν δὲ ταῦτα ἀρεστὰ καὶ τῶν πολιτῶν ὅστις τὸ πλεονεκτεῖν μόνον ἔμελεν.* *Hell.*, II. 4. 10.

57. — *τριάκοντα...εἰργασμένοις καὶ ὑμῖν...πεπονθόστι*, an *isocolon*; compare note on *ἀποκτινύναντι...ἐποιῶντο*, § 7. — *πάντα κακά*, compare note on *πάντα τὰ κακά*, § 33. — *ὑμεῖς δικαῖως*, supply *ἔφεύγετε*. From the stand-point of either of the extreme parties, the middle course of the Ten appeared in this dilemma of inconsistency. — *ἔργων*, *H.*, 566. — *αἰτίαν λαβόντες*, distinguished from *αἰτίαν ἔχοντες* as *λαβεῖν* to “get,” or “incur,” from *ἔχειν*, “to have.”

58. — *αιρεθέσις*, *H.*, 694, c. — *διαλλάξαι*, *G.*, 97, N. 1. — *γυμνοῦ*, *G.*, 188, 1.

H., 611. Lysias's attack on the policy pursued by Phidion had the double aim, first, of representing it as emanating from Eratosthenes, who had pretended to be overruled by his associates in office, and, second, of raising a prejudice against Phidion, in case he appeared, as was probable, in the capacity of an advocate of Eratosthenes, § 85. — **τοὺς μὲν κρείττους αὐτῶν**, i. e. the majority of the Thirty, then at Eleusis. — **δι' ὑπᾶς**; for the distinction between the genitive and the accusative after **διά**, see H., 629, c, 630, b. But the accusative is often used with very little apparent distinction from the usual sense of the genitive. Compare **διὰ τούτων**, § 92. — **αὐτούς**, a constructio ad sensum, as if the antecedent were **Λακεδαιμονίους**. — **Βοιωτῶν**, see note on **τῆς πρώτης**, XVI., § 15. Occasion for this misrepresentation was given by the support which Thrasybulus derived from Thebes. — **ἴσται**; what would be the *indirect* form? — **μάλιστα**, emphatic position.

59. — **οὐ δυνάμενος**; **οὐ**, not **μή**, because the participle does not express a *condition*. So **οὐ βουλομένων**, below. G., 283, 4. H., 839. — **καὶ** = “also.” — **ιερῶν ἐμποδών**; a notable instance of the tenacity with which the Spartans adhered to their superstitions in such matters was given by their six days' delay to help the Athenians at Marathon, b. c. 490, in the crisis of the fate of Greece. — **καὶ** = “even.” — **έκατὸν τάλαντα**; this loan, though contracted by an usurping government to destroy the liberties of the country, was afterwards repaid by the constitutional government. — **ἔδωνται**, H., 689, b. — **ἡγήσατο**, observe the force of the middle, H., 689.

60. — **πάντας**, loosely said for **πανταχόθεν**. — **πόλεις ἐπάγοντες**, the Peloponnesian allies generally. The Bœotians and Corinthians, however, who had previously been intensely anti-Athenian in their policy, declined to co-operate, a remarkable proof, as Grote observes, of the altered feeling with which Athens and Sparta were beginning to be regarded in the other states of Greece. — **τελευτῶντες**, G., 109, N. 8. H., 788, a, *fine print*. — **παρεσκευάζοντο**, observe the imperfect as inclusive of the successive acts specified by the preceding tenses. — **εἰ μὴ δι'**; the complete expression would be, **καὶ ἀπώλεσαν ἄν,** **εἰ μὴ δι' ἄνδρας ἀγαθούς ἐκωλύθησαν**. G., 52, N. 1. H., 754, a, *fine print*. As to the danger of Athens at the time, and how it was averted, see *Intro*. By the **ἄνδρας ἀγαθούς** are meant such friends of Athens among the other Greeks as was the wealthy Theban Ismenias, who aided Thrasybulus's first movement. — **λαβόντες**, G., 109, 3. — **καὶ ἐκείνοις**, i. e. the **ἄνδρες ἀγαθοί** just mentioned. — **χάριν ἀποδιδόναι** is to *show* gratitude by some requital, Latin *gratiam referre*, in distinction from **χάριν εἰδέναι**, or **ἔχειν**, to *feel* gratitude, Latin *gratiam habere*.

61. — **ὅμως δέ**, supply **παρέξομαι**, H., 883: the witnesses of course were to testify to the acts of Phidion. — **ώς πλειστων**, H., 664.

62. — **φέρε δή**, see the same in § 34 and *note*. — **Θηραμένους**; on the gen-

eral relevancy of this portion of the argument, see *Introd.* It is to be specially noticed that Theramenes, in his reply before the senate to the impeachment of Critias, declared that he had opposed the seizure of the metœci: ἀντεῖπον δὲ καὶ ὅτε τῶν μετοίκων ἔνα ἔκαστον λαβεῖν ἔφασαν χρῆναι, Xen. *Hell.*, II. 3, 40. This lent some color to Eratosthenes's assertions, § 25, that he had been adverse to extreme measures, and rendered it more necessary for the orator to blacken Theramenes's record.

The analysis of §§ 62–80 is as follows: § 62, the orator shows the relevancy of his apparent digression. He is simply refuting Eratosthenes's claim to favor on the score of Theramenes; § 63, he sneers at Eratosthenes's choice of a political guide, taking up with a Theramenes for lack of a Themistocles; § 64, and shows the folly of allowing such malefactors to claim credit as benefactors. Then, § 65, he shows that Theramenes was a leader in setting up the oligarchy of the Four Hundred; next, §§ 66, 67, a base turncoat; more recently, §§ 68–70, the procurer by false pretences of disastrous terms of peace with Sparta; finally, §§ 71–77, responsible for the establishment of the Thirty, and meeting at length, § 78, with deserved retribution. In §§ 79, 80, he concludes the digression with a fresh appeal, upon these facts, for a verdict against Eratosthenes and his partners.

διὰ βραχυτάτων, see δι' ἐλαχίστων, § 3, and *note*. — **προστῆν**, “offend,” Sauppe's emendation of the common text, **παραστῆν**, “occur.” G., 254. H., 720, b. — **ταῦτα**, i. e. ὅτι...μετεῖχε. — **μετεῖχε**, why not accented **μέτειχε**? G., 26, N. 1. H., 368, b.

63. — **σφόδρ' ἀν...οἶμαι**, “I strongly think”; ἀν belongs to **προσποιεῖσθαι**, G., 42, Note. — **πολιτευόμενον προσποιεῖσθαι**, the participle is the protasis, the infinitive the apodosis; G., 52, 1; 53. What forms of the finite verb do these respectively represent? — **ὅπότε καὶ**, καὶ here = “even.” — **ὅπως καθαιρεθῆσται**, G., 217. H., 756, dependent on **ἐπραττε** understood. — **οὐ γάρ**, said on account of the preceding **σφόδρα ἀν οἶμαι**. The idea of the orator's irony is: of course Eratosthenes would have been much gladder to co-operate with Themistocles than with Theramenes, for Themistocles was a worthier citizen. — **Λακεδαιμονίων**; for an account of the stratagem by which Themistocles outwitted the Spartans, and thwarted their mean opposition to the restoration of the walls of Athens, after the expulsion of the Persians, see Grote, *Hist.*, V. 244; Curtius, *Hist.*, II. pp. 361, 362. The contrast which Lysias here draws between Themistocles and Theramenes had been already pointed out by the demagogue Cleomenes. According to Plutarch, *Lysander*, 14, Cleomenes asked Theramenes if he dared to undo the work of Themistocles by delivering to the Lacedæmonians the walls which that patriot had erected against them. To which Theramenes responded, that Themistocles had had the walls built for the preservation of the citizens, and it was for the same purpose that they were

now to be demolished. As Lysias viewed the matter, Themistocles erected the walls to secure the democracy, while Theramenes destroyed them to overthrow the democracy. The exhibition of such a contrast was adapted to arrest the reaction of feeling in favor of Theramenes which the manner of his death had occasioned.

64. — *εἰκὼς* *ἥν*, see the same in XVI., § 5, and *note*. — *ἄξιον* *μὲν* *γάρ*, an implied *ἥν* follows. — *πράττων*, *G.*, 16, 2. So *συνόντας*, below. — *ώσπερ*, *G.*, 277, N. 3. — *γεγενημένου*, the *ἐκείνου* which we supply here has been attracted into *ἐκείνω* by *συνόντας*. *H.*, 791, a. The *balanced arrangement* of these genitives is noticeable as an elaborate bit of literary finish, *viz.* —

ώσπερ πολλῶν ἀγαθῶν αἰτίου
ἀλλ ὡν μεγάλων κακῶν γεγενημένου.

65. — *ὅς*; *ὅτις* might have been used. See *οἵτινες*, § 40, and *note*. Compare, also, *οἱ* and *οἵτινες*, XXV., § 18, where, as Frohberger remarks, *οἱ* denotes the *individuals*, and *οἵτινες* their *class* or *kind*. — *δλιγαρχίας*, i. e. of the Four Hundred. See *note* on *ἐπὶ τῶν τετρακοσίων*, § 42. — *αἰτιώτατος*; this seems exaggerated. Theramenes took an active part, but Alcibiades and Pisander seem to have been *αἰτιώτατοι*. It is quite clear that the revolution received the first effective impulse from a proposition of Alcibiades to the officers of the Athenian armament at Samos, engaging, on condition of the formation of an oligarchical government, to secure to Athens the Persian alliance. See Grote, *Hist.*, VIII. 6 *sqq.*; Curtius, *Hist.*, III. p. 450. Pisander was ostensibly the chief agent in the execution of the plan, and the soul of the movement at Athens was Antiphon, see § 67, and *note*. Critias, in impeaching Theramenes before the senate, merely says of his revolutionary zeal, *προπετέστατος ἐγένετο τὴν δημοκρατίαν μεταστῆσαι εἰς τοὺς τετρακοσίους*, Xen. *Hell.*, II. 3, 30. — *ὁ μὲν πατήρ*; Hagnon, a citizen of high standing, adopted Theramenes, who was a native of Ceos. The position of his adoptive father secured to Theramenes a favorable entrance into political life. — *τῶν προβούλων*; a “Board of Elders,” called *πρόβούλοι*, or “Provisional Councillors,” consisting of ten of the older citizens, was appointed, upon the tidings of the defeat of the Sicilian expedition, B. C. 413, “to review the expenditure, to suggest all practicable economies, and propose for the future such measures as occasion might seem to require.” Grote, *Hist.*, VII. 362. These became promoters of the revolution in 411. By this appointment, as Curtius remarks, the democracy, which since the fall of the Areopagus had been free from all control, was again placed under the supervision of authority. For the case, compare *τῶν ἐφύρων*, § 46, and *note*. — *ταῦτ' ἐπράττεν*, compare the same expression in § 51, *ταῦτα πράξουσι*. — *ὑπ' αὐτῶν*, i. e. the Four Hundred.

66. — *ἔως μὲν ἐτιμάτο*, *G.*, 59; 66, 4, *Rem.* — *πιστόν*, i. e. to the oligar-

chical party. — **Πειστανδρον**, of Acharnæ, a man of much ability and courage, though this latter trait was disputed by his enemies. After the fall of the Four Hundred he was banished, and his property was confiscated. See VII., § 4. Callæschrus was the father of Critias. — **αὐτοῦ**, G., 175. H., 585. — **οὐκέτι...ἀκροάσθαι**; the Athenian armament at Samos, when they heard of the revolution at Athens, repudiated the authority of the Four Hundred. See Grote, *Hist.*, VIII. 46, *sqq.* Realizing that this presaged the overthrow of the revolutionists, Theramenes began to disconnect himself from his imperilled party. — **Ἀριστοκράτεος**; in order to maintain themselves against the armament at Samos, the Four Hundred were treasonably plotting to receive a Lacedæmonian force into Piræus, and to accomplish this were constructing a citadel there. Suspecting that design, the tribe of which Aristocrates was taxarch broke into a mutiny, which spread until, with the concurrence of Theramenes, who had been sent to suppress the mutiny, the obnoxious citadel was demolished. This affair proved a fatal blow to the ascendancy of the Four Hundred. Aristocrates was afterward one of the generals who were put to death for misconduct at the Arginusæ; see *note on θανάτῳ ἐξημισσατε*, § 36.

67. — **Ἀντιφῶντα**: “Antiphon, the son of Sophilus, at that time already an advanced sexagenarian, but full of unwearying activity, political experience, and knowledge of human nature; inexhaustible in clever devices, trustworthy and reticent; in intellectual power and influence superior to all his fellow-citizens, and at the same time perfect master of himself.” Curtius, *Hist.*, III. p. 461. He “formed a school of oratory, which exercised a deeply felt influence on the development of Attic prose.” *Id.*, II. p. 569. This man undertook the chief directorship of the oligarchical movement in Athens during Pisander’s absence. By systematic assassination he silenced the popular leaders, extinguished freedom of debate, and so overawed the public mind, that, at length, the sanction of the senate and the assembly was extorted for measures which the majority detested. See Grote, *Hist.*, VIII. pp. 30–41. After the restoration of the democracy, Antiphon and Archeptolemus were impeached by Theramenes for their treasonable negotiations with Sparta, and suffered the doom of traitors. The fate of Antiphon, then sixty-nine years of age, was deserved; but this rattling of Theramenes gained him the nickname of *ὁ κόθορπος*, or the *Buskin*, fitting either foot equally well, and was used at length by Critias as a pretext for his destruction. Comp. Xen. *Hell.*, II. 3, 30–33; Goodwin’s *Gr. Reader*, pp. 69, 70. Curtius says of him that he was “a man of brilliant abilities, eloquent, intelligent, and versatile, endowed with noble natural gifts, but . . . wholly devoid of fixed principle, and was seriously attached neither to the one side nor the other,” but ambitious to play the first part himself. *Hist.*, III. pp. 461, 539. — **ἄμα...ἀπώλεσε**, for the isocolon, compare *ἀπο-*

κτινώνται...έποιοῦντο, § 7. — τὴν πρὸς ὑμᾶς, supply πιστιν. — In balancing Theramenes's account with history, Curtius remarks: "As no less severe a judge than Aristotle reckons him among the best citizens whom Athens ever possessed, we may be sure that his merit consisted not merely in his having, more than any one else, contributed to frustrate the treasonable efforts of the party which was prepared to proceed to extremities, but principally, in his having, after the overthrow of that party, succeeded in preventing the outbreaks of passion which would have ruined the state," etc. *Hist.*, III. p. 486.

68. — An interval of six and a half years, from the deposition of the Four Hundred, in the summer of 411, to the siege of Athens in the winter of 405-4, occurred between the events mentioned in this section and those in the preceding. In this interval, the orator passes over without mention an instance of Theramenes's faithlessness as glaring as any, in his accusation of the generals who commanded at Arginusæ for the criminal neglect of a duty which had been delegated to him. See *Note* on § 36. — αὐτός, "of his own accord." — σώσειν, *G.*, 27, N. 3. — ὑπέσχετο δέ, "for he promised." — τὰ τείχη καθελών: for the Lacedaemonians had intimated that the demolition of the Long Walls to the length of ten stadia would be insisted on in the terms of peace. — ταῦτα, an abbreviation for ὅπως ταῦτα διαπραχθήσοτο: plural, though the antecedent is singular, perhaps with reference to the particulars of his plan; see *note* on ταῦτα, § 14. — αὐτῷ πιστεύειν, emphatic, to trust him.

69. — πραττούσης...σωτήρια, "taking measures for safety." The particulars are not very definitely known; but see XXV., § 27, *note* on ἔμνυτε. — Ἀρείῳ πάγῳ, see *General Note*, 2. "It would appear that at this period, when revolutionary and conservative measures were indiscriminately applied, the Areopagus, which had only continued to exist as a court for capital cases, was also re-established as a state magistrature, and, as at the time of the Persian wars, invested with extraordinary powers for contributing its share to the preservation of the city." Curtius, *Hist.*, III. p. 564. — ἀντιλεγόντων: no wonder, in view of what Lysias asserts, XIII., § 10: ὑμεῖς εἴλεσθε ἐκεῖνον πρεσβευτὴν αὐτοκράτορα, δύ τῷ προτέρῳ ἔτει στρατηγὸν χειροτονηθέντα ἀπεδοκιμάσατε, οὐ νομίζοντες εὑνοῦν εἶναι, κ. τ. λ. Nothing more clearly reveals the desperate condition of besieged Athens, than that the people, catching at the word of such a man, should appoint him their plenipotentiary, without pressing inquiry into his plans.

70. — οὐδὲν ἐπράξεν. Theramenes stayed more than three months with Lysander, who then told him that the ephors, and not he, had power to make peace. When Theramenes came home with this report, the famine had become so intolerable, that he was sent back to make peace on any terms. This was probably his original scheme, as Xenophon intimates:

ἐπιτηρῶν ὁπότε Ἀθηναῖοι ἐμελλον, διὰ τὸ ἐπιλελοιπέναι τὸν σῖτον ἄπαντα, ὃ τις λέγοι ὄμολογήσειν. *Hell.*, II. 2. 16. Goodwin's *Gr. Reader*, p. 64. — ἐμνήσθη, "had mentioned," i. e. in the previous negotiations. — ἤλπισε, "had expected." — ἔπεισε: how does this tense present the idea as compared with ἔπειθεν, § 58? See ἔλεγον, § 6, note. Lysias's assertion is corroborated by Xenophon (*Hell.*, II. 2. 22), προηγόρει δὲ αὐτῶν Θηραμένης λέγων ὡς χρὴ πειθεσθαι Λακεδαιμονίοις καὶ τὰ τείχη περιαιρεῖν. — ἀναγκαζόμενος... ἐπαγγελλόμενος, see note on ἀπειπεῖν... ἐπιλεπεῖν, § 1. The proof of Lysias's assertion is of course merely circumstantial. How much harder were the conditions that Theramenes brought home, than those which the enemy at first proposed, Lysias states, XIII., § 14: Υἱοὶ γὰρ ἀντὶ μὲν τοῦ ἐπὶ δέκα στάδια τῶν μακρῶν τειχῶν διελεῖν ὅλα τὰ μακρὰ τείχη κατασκάψαι, ἀντὶ δὲ τοῦ ὅλοῦ τις ἀγαθὸν τῇ πόλει εὐρέσθαι τὰς τε νῦν παραδοῦναι τοῖς Λακεδαιμονίοις, καὶ τὸ περὶ τὸν Πειραιᾶ τείχος περιελεῖν. Although, in the strife which raged in Greece between oligarchy and democracy, party fury was often stronger than love of country, — so that even Xenophon was found at the battle of Coronea on the side of Sparta against his native Athens, — yet it is altogether improbable that the extreme and most humiliating demands of Sparta were suggested, as Lysias claims, by the Athenian oligarchs themselves. What Cicero says of the contending parties at Rome has its applicability to this case: *Non illi nullam esse rempublicam, sed in ea quae esset se esse principes; neque hanc urbem conflagrare, sed se in hac urbe florere, voluerunt.* *Or. in Catil.*, III. 10. — ἀποστερηθήσεσθε... κομιεῖσθε, *G.*, 50, 1, N. 1, 77. See ἔσονται, § 45, and note. — ταχεῖαν, translate as a predicate, *G.*, 142, 3. *H.*, 535, b.

71. τὴν ἐκκλησίαν, the forms of the ancient constitution still subsisted, until they should be used to give sanction to the intended change. — ἔως... ἐτηρήθη, *G.*, 19, N. 4 (b), 66, 1. — ὁ λεγόμενος, the common text, for which Rauchenstein reads ὁ ὄμολογημένος. — ὑπ' ἐκείνων, i. e. the Spartans. — ἐκ Σάμου. Samos, a large and fruitful island off the coast of Ionia, with a city of the same name fronting the Ionian coast, was the only ally or dependency of Athens which did not submit without resistance to the Lacedaemonians after the affair at *Ægospotami*. Lysander, after receiving the surrender of Athens, had proceeded to press the siege of Samos, and reduced it about the close of the following summer, B. C. 404. Lysander's return to Athens had been prepared for by putting out of the way the democratical leaders. See *Introd.*

72. τούτων ὑπαρχόντων, "these arrangements being ready." — Φιλοχάρους καὶ Μιλτιάδου: Rauchenstein regards these as companions of Lysander; Frolicher conjectures, from the names, that they were Athenians who had been sent to summon Lysander. — τὴν ἐκκλησίαν, "the intended assembly." — ῥήτωρ, "a public speaker." In the free political atmosphere

of Athens a professional class flourished, who devoted themselves to politics and public speaking, and were called *ρήτορες*. For different estimates of them, compare Curtius, *Hist.*, III. pp. 90–93, and Grote, *Hist.*, VIII. 42, 43. The same policy of silencing the popular leaders had been tried in the previous revolution. See *note* on Ἀντιφῶτα, § 67. The Thirty, by one of their earlier edicts, even forbade all teaching of “the art of words.” Xen. *Mem.*, I. 2, 31: ἐν τοῖς νόμοις ἔγραψε, λόγων τέχνην μὴ διδάσκειν. — ἐναντιοῦτο, G., 216. H., 739.

73. — **τριάκοντα**; these were appointed, nominally, to draw up laws for the future government of the city, and to hold a provisional authority meanwhile. Dracontides, who acted merely as the instrument of others, “a scoundrel on whom repeated sentences had been passed” (Curtius, III. 579), became one of the Thirty. — *ἀπέφανεν*, “proposed.” For the tense, see *note* on ἔλεγον, § 6, and ἐβάδιζον, § 8. — **ὅμως**, belongs with ἔθορυβετε, G., 109, N. 5. — **οὐτώ διακείμενοι** refers to the situation as described in §§ 71, 72. — **ώς ού ποιήσοντες**, G., 277, N. 2. — **ἔγινωσκετε**, “you were becoming aware.” — **ἔξεκλησιάζετε**, H., 315, also augmented ἤκκλη-.

74. — **αιτώ μέλοι...θορύβου**, G., 184, 2, N. 1. H., 576, 595, b. — **πολλούς**, here predicate. — **δοκοῦντα...λέγοι**; this, in contrast with his former boasts, § 68, would further dispirit the people. **λέγοι** is construed with **ἐπειδή**; translate: “and since he spoke the views of Lysander and the Lacedæmonians.” — **καὶ ὅτι**, “and particularly that,” etc.: **καὶ** here = *atque*. — **παρασπόνδους**, because the walls had not been demolished within the specified time, which had not been long enough. — **ἔχοι**, for this and the following verbs, see the passage commented on in G., p. 163. The reading here followed is that of the common text, for which Rauchenstein and Scheibe both read **ποιήσεθ'** and **κελεύει**.

75. — **ἄνδρες ἀγαθοί**, in the language of each of the political parties this was the designation of their own members. — **γνόντες τὴν παρασκευήν**, “having perceived the concerted action.” Compare the meaning of the aorist with that of the imperfect, **ἔγινωσκετε**, § 73. — **ῳχοντο ἀπιόντες**, “took their departure.” G., 279, Note.

76. — **παρήγγελτο**, i. e. by the managers of the meeting. — *ἀπέδειξε*, “nominated.” — **ἴφοροι**, see § 43, and *note*. — **κελεύοιν**, G., 247, N. 1. H., 738. — **παρόντων**, those present were largely of the oligarchical party.

77. — **ἐν τῇ βουλῇ**, when replying before the senate to his impeachment by Critias. Xen. *Hell.*, II. 3, 35–49. Goodwin’s *Gr. Reader*, pp. 70–73. Grote, *Hist.*, VIII. 249–252. — **ὅτι...κατέλθοιεν**. In Theramenes’s speech, as reported by Xenophon, this point is not touched. — **οὐδὲν φροντιζόντων Λ.**, the restoration of the exiles was one of the treaty stipulations. If this article was really the work of Theramenes, it was a point in favor of Lysias’s claim that the whole disgraceful treaty was his work. — **πεπραγμέ-**

νων, construe with *αἰτίος*. — *ὑπ' ἐμοῦ*, construe with *εἰρημένοις*, II., 885. — *τοιούτων τυγχάνοι*, “he met such a requital.” — *αὐτὸς...δεδωκώς*, so Scheibe, see *αὐτὸς ἐπαγγειλάμενος*, § 68. Rauchenstein prefers *αὐτοῖς*.

78. — *καὶ...καὶ...καὶ*; this accumulation of conjunctions not only suits the cumulative nature of the argument, but adds vehemence to the style, especially in delivery. — *γεγενημένου*, see *γεγενημένου*, § 64, and *note*. — *τολμήσουσιν*, the indefinite subject, “they,” includes specially Eratosthenes. — *Θηραμένους*; in translating join with *γεγενημένου*. — *δικαίως*, so far as an act in itself despotic and outrageous may be extenuated by the comment “served him right.” With Critias, no doubt, it was a matter of self-preservation to despatch Theramenes, whose desertion of his colleagues in the preceding revolution made it likely that he would not scruple, should occasion serve, to deal with Critias as he had dealt with Antiphon, § 67. — *ἐν δλιγαρχίᾳ*, see the same and *note*, XXV., § 7. — *ἥδη...κατέλυσε*, *G.*, 19, N. 4, b. Instead of *ἥδη* Rauchenstein adopts Sauppe’s emendation *δῖς*. The statement then becomes contrary to fact. Theramenes did not twice break down the oligarchy, except in a sense which probably did not enter the speaker’s mind. He had indeed co-operated to overthrow the Four Hundred. But he broke down the Thirty rather by his death, the manner of which increased the intestine strife within the faction, and gave a fatal shock to its stability. To avoid the difficulty, Cobet further emends by changing *κατέλυσε* to *κατέλυε*, “he endeavored to break down.” But this is arbitrary. The text as it stands needs no emendation. — *ἄν ἐν δημοκρατίᾳ*, supply *δίκην* *ἔδωκεν*. *G.*, 212, 3. *H.*, 754. On the protasis involved in *δικαίως*, see *note* on *μισεῖσθαι*, § 54. Theramenes, as the orator claims, should have been punished after the expulsion of the Four Hundred, and again, had he lived, after the deposition of the Thirty. — *παρόντων καταφρονῶν...άπόντων ἐπιθυμῶν*, compare, for the form, *ἥγοντο...ἐποιοῦντο*, § 7, and *ἀπειπεῖν...ἐπιλιπεῖν*, § 1. A sententious description of a restless agitator. — *τῷ...χρώμενος*, “under the fairest pretence,” i. e. of saving the city, § 68; *ὄνόματι*, i. e. *σώσει*, *G.*, 188, N. 2, and 277, 2. *H.*, 607, a, 789, b. — *διδάσκαλος*, “a prompter.”

79. — *ἐκεῖνος*, “that” long expected. — *μαχομένους μέν...ψηφιζομένους δέ*. “*μέν* and *δέ* are often employed also to connect two clauses, of which only the second properly belongs in the connection; while the other is merely inserted in order to heighten by contrast the effect of the second.” *Buttmann’s Gr.*, § 149, 11. Here *δεῖ μὴ εἶναι* is not said with reference to *κρείττους εἶναι*, but *ἥττους*. Accordingly, the *μέν* clause is to be translated by “while,” or “seeing that,” with a finite verb, while *δέ* remains untranslated. — *πολεμίων...ἐχθρῶν*, these synonymes correspond respectively to the Latin *hostis* and *inimicus*, the former a foreign or public enemy, the latter a domestic or private one.

80. — ἀν, limiting χάριν. G., 153, N. 1. H., 810. — ὕστε, imperative. See note on χάριν ἀποιδόνται, § 60. — ἀν...δργύζεσθε, imperative. G., 173. H., 577. — ἀποῦστι, i. e. in Eleusis, see *Introd.* — μὲν...ἐπιβουλεύετε, see note on μαχομένους μέν, § 79. — ἀφῆτε, G., 86. H., 723, a.

81. — Κατηγόρηται δή. So Böke, Frohberger, Scheibe, and Sauppe, for the MSS. κατηγορεῖτε δέ. Also Rauchenstein in earlier editions, whose sixth edition emends to κατάγνωτε δέ, with Kayser and others. Translate: “the accusation of Eratosthenes and his friends is now complete.” G., 17, 1, and N. 1. G., 173, 2, N.

The analysis of the remainder of the oration is as follows: §§ 81–91, *Comments on the complete case as it stands.* (1) These judicial formalities give an undeserved advantage to the tyrant, § 81, for whom no stretch of severity could be excessive, §§ 82, 83, while any mitigation is unseemly, and the proposal audacious, § 84; which proposal, however, marks the accomplices of the traitors, § 85. (2) These pleaders for the defendant are remarkable as men of doubtful merit and lukewarm patriotism, § 86. (3) The defendant's witnesses also occupy a singular position; they give the court credit for slight discernment, § 87, and suppose it to be unmindful of what has been endured and perpetrated, §§ 88, 89. (4) A square statement of the alternative issues, stripped of all excuse and subterfuge for the friends of the defendant, §§ 90, 91. — *An exhortation to the two classes of which the jury was composed*, §§ 92–98: (1) those of the city, §§ 92–94, and (2) those of the Piræus, §§ 95–98, basing an appeal for their verdict upon a summary statement of the recent and present situation of each respectively. — *The Peroration*: (1) a condensed reiteration of the principal charges, § 99; (2) a reminder to the court of the duty due to those unjustly put to death, § 100. See Analysis.

οἷς...ἀνοίσει, “to whom he will refer in defence”; εἰς οὓς is the more common construction with ἀναφέρω. — ἀπολογίας, plural, with reference to all the various charges. — μέντοι, “yet”; the connection of thought is as follows: “The accusation is complete, yet I ought to speak of the advantage over the city which this trial gives Eratosthenes, for he,” etc. — κατήγορος καὶ δικαστῆς αὐτός; at first without restriction, but when, after many arbitrary executions, the Thirty were obliged to make concessions to the views of Theramenes, it was determined that no person in the list of the privileged Three Thousand (see note on κατεψηφίσατο, § 52) might be doomed to death by the Thirty without appeal (*Xen. Hell.*, II. 3, 51): all others, as before, held their lives at the tyrants' mercy. Under this rule, Lysias intimates, it was much easier for Eratosthenes to obtain verdicts than it is now for the city to get a verdict against him by due process of law. Compare the remark of Grote upon the unconstitutional condemnation of the six generals for neglect at the Arginusæ: “There has been no

people, ancient or modern, in whose view the formalities of judicial trial were habitually more sacred and indispensable than that of the Athenians; formalities including ample notice beforehand to the accused party, with a measured and sufficient space of time for him to make his defence before the dicasts; while those dicasts were men who had been sworn beforehand as a body, yet were selected by lot for each occasion as individuals." *Hist.*, VIII. 196.

82. — *οἰδ' ἀν*, *G.*, 42, 2, and Note 1. — *παρανόμως*; the fate of the six generals could hardly fail to have suggested and been suggested by this word. We have already observed, §§ 36, 68, that the orator seems afraid of that topic, though it is one that he can hardly help referring to. — *ἀξίαν* construe with *λάβοιτε*. — *ἄν...* *πόλιν*, *G.*, 159, and *N.* 2. *H.*, 555. *ἄν*, by attraction for *ἄ*. — *τι...* *παθόντες*, "by what sufferings?" What regular form of the protasis does this participle represent? Observe the position of *ἄν*, and see *note* on *οὐδός* *ἄν* above. — *εἴησαν...* *δεδωκότες*, *G.*, 18, 1.

83. — *ἄν οὐτοι*, the antecedent of *ἄν* is the *ἡμεῖς* in *λάβοιμεν*. — *ἄλλα γάρ*, see the same and *note*, § 40; translate: "but [why speak of full satisfaction?] for," etc. This elliptical expression is equivalent to "nay, more." — *χρήματα τὰ φανερά*, "real property," in distinction from cash and valuables which the Thirty had probably removed. — *δημεύστε...* *ἔχοι*, *G.*, 54, 1, (b). — *καλῶς ἀν ᔁχοι*, "would it satisfy?" — *εἰλήφασιν*; observe the special force of the perfect, denoting the continuance of the result (*G.*, 17, *N.* 2, and *Rem.*), as distinct from the aorist *ἔξεπόρθησαν*, denoting momentary past occurrence. Although part of these losses could be made good out of the confiscated estates of the tyrants, it was not possible to effect a restoration to the rightful owners of all the property which had unlawfully changed hands during the troubles.

84. — *δίκην παρ' αὐτῶν*; after these words Rauchenstein and others put a conjectural [*ἀξίαν*] without, as it seems, sufficient reason. *δίκην* alone here stands intelligibly enough as the equivalent of *δίκην ἀξίαν*, § 82, and *ικανὴν δίκην*, § 83. Compare *δίκην δοῦναι δίναντ' ἄν*, § 37. — *πῶς οὐκ αἰσχρόν*, see *οὐκ οὖν δεινόν* and *note*, § 36. — *ἡντινοῦν*, *H.*, 816, a. Suits (see XVI., *General Note*, 7) were of two kinds, according as a variable penalty was inflicted at the discretion of the court (this was the *δίκη τιμητή*), or as the penalty was prescribed and fixed by law (*δίκη ἀτέμητος*). The present case was of the former kind, as the law contemplated no such accumulation of crimes as Eratosthenes was charged with. — *βούλοιτο*, *G.*, 61, 4. — *ἄν...* *τολμῆσαι*; what form of the finite verb does this represent? *G.*, 53, compare 41 and 21. Where does the protasis appear? *G.*, 52, 1. — *ννντι*, emphatic. — *οὐχ ἔτέρων ὄντων τῶν δικαστῶν*; "the subject generally has the article, the *predicate not*"; Arnold's *Gr. Prose Composition*: *H.*, 535. — *τῆς τούτου πονηρίας*; instead of *τούτου* we might expect *ἴαντοῦ*, since the

subject *ὅστις* refers to Eratosthenes (see note on *οἵτινες*, § 40, and compare note on *ὅς*, § 65); *οὐτος*, however, as the common designation of an *adversary in court*, is not uncommonly used by Lysias, where we should expect the reflexive. See note on *τούτοις*, XXV., § 33. — ή...ή, equivalent here rather to *vel...vel* than to *aut...aut*, the assigned grounds of Eratosthenes's confidence, *καταπεφρύνηκεν* and *πεπιστευκεν*, being tantamount to each other, as the course of thought in the next section shows.

85. — *ἔδύναντο*; why is the imperfect used here instead of the aorist, as in the next line? *G.*, 49, 2 (second paragraph). Observe the changes of number in this section and the preceding, as if Eratosthenes and the Thirty were equivalent terms. — *μή*, *G.*, 283, 4. *H.*, 839. — *συμπραττόντων*, *G.*, 16, 2. Compare *τότε συμπράττοντας*, § 46. — *ἔλθεῖν*, i. e. into court. — *βοηθήσοντες*; these were in part the *συνεροῦντες*, § 86, and in part other persons who appeared in court to throw their influence in favor of the defendant. — *τοῦ λοιποῦ*; what distinction in meaning between the genitive and the accusative? *H.*, 591, *fine print*.

86. — *συνεροῦντων*, see *General Note*, 4. — *ἄξιον θαυμάζειν*, “we well may wonder.” — *αἰτήσονται*, *H.*, 689, “will intercede.” — *ἔβουλόμην*, *G.*, 226, 2, *fine print*. *H.*, 752. Like the Latin *vellem*, *ἔβουλόμην* ἂν may refer to past time, and here, with *εἴωι*, means, “I could have wished them to be.” *G.*, 49, 2. In § 22 it is used in reference to present time. — *οὐτοι*, supply *προύθυμοῦντο*. — *ἢ*, “or whether.” — *οὐχ...οὐδείς...οὐδέ*, *G.*, 283, 8, last part. *H.*, 843. The emphasis of the strengthened negative is thrown on *τὰ δίκαια*, in contrast with the present readiness to defend the wrong. *H.*, 858, b.

87. — *ἄξιον ίδειν*, compare Cicero's expression, *operae pretium est cognoscere*; *Or. in Catil.*, IV. 8. — *τό...πλήθες*. Rauchenstein reads *τοῦ...πλήθους*. But see the following accusatives with *διά*, and compare *δι' ὑμᾶς*, § 53, *δι' ἑτέρους*, XXV., § 29. — *τοὺς τριάκοντα σώσειν*, intimating that a verdict for Eratosthenes would be a verdict for the Thirty. — *δέ* = “while.” — *ἐπ' ἔκφοράν*. Frohberger cites *Æsch.*, III. 235: *οἱ τριάκοντα οὐδ' ἐπὶ τὰς ταφὰς καὶ ἔκφορὰς τῶν τελευτησάντων εἴων τοὺς προσήκοντας παραγένεσθαι*.

88. — *οὓς οὐτοι ἀπώλεσαν*, a rhetorical amplification thrown in with special reference to the following clause. — *τελευτήσαντες*, often used absolutely, without the *τὸν βίον*. — *πέρας...τιμωρίας*, “are debarred from taking vengeance on their enemies.” — *οὐκ οὖν δεινόν*, see § 36. — *τῶν μέν*, see note on *μαχομένους μέν*, § 79. — *συναπώλλυντο*, *G.*, 11, N. 4. — *ἐπ' ἔκφοράν*, as if there were no doubt of the defendant's condemnation. — *όπότε*, between this and the preceding clause some such expression as *ὡς εἰκός* is implied. — *βοηθεῖν*, emphatic: when so many are ready for the more arduous work of defending them, how many more would attend their funeral!

89.—*καὶ μὲν δῆ*, see the same, § 30, and *note*. The number ready to aid Eratosthenes occasions a sarcastic reference to his claim, § 25, *ἀντέλεγον*. — *πολλῷ*, G., 188, 2. H., 610. — *εἴναι*, “that it would have been,” G., 15, 3, supply *ἄντεν*, see *οὖν τὸν οὐ*, and *note*, § 49. — *ἢ*, “than” [it is]. The implied *εἴναι* is a present tense here, while an imperfect before. — *ἀπολογήσασθαι*, the distinction between the *συνεροῦντες* and the *μάρτυρες* is dropped at this word, which applies to both, as *βοηθοῦντες*; see the preceding *βοηθεῖν*, § 88. — *τῶν ἀλλων Ἑλλήνων*. Lysias meets the claim that Eratosthenes is the least culpable of the Thirty, by claiming that he is a citizen who has harmed his country more than any foreign enemy. Compare Cicero in *Catil.*, IV. 5: *qui autem reipublicæ sit hostis, cum civem esse nullo modo posse*.

90.—*δείξετε*, G., 25, N. 5, (a), Markland's conjectural emendation of the common reading *δείξατε*. This and the following section have mainly in view the city party, who are directly addressed in § 92. — *δῆλοι...ώς*, G., 113, N. 1 and 10. Francken remarks that the only other example of this construction in good Attic [prose] writers is Xen. *Anab.*, I. 5, 9. — *τὰ...προσταχθέντα*, an allusion to the defendant's plea, § 25.

91.—*ἀποψῆφισαμένους*, G., 277, 2. H., 789, b. — *κρύβδην*, “in secret.” H., 492, h. See *General Note*, 3. Comp. Demosth. XIX. 239: *εἰ κρύβδην ἔστιν ἡ ψῆφος*.

92.—*οὐλίγα...ἀναμνήσας*, G., 159 and N. 2. H., 554. — *καταβαίνειν*, i. e. from the speaker's platform (*βῆμα*). — *διὰ τούτων*, compare *διὰ τὸ πλῆθος*, § 87, and *note*. The genitive with *διὰ* denoting the *means*, and the accusative denoting the *efficient cause*, are in this connection about equivalent. — *παραδείγματα*, H., 556, a, “warning examples.” — *ἔχοντες*, “with,” G., 109, Note 8. — *ἥρχεσθε*, in this word lies the hatefulness of the past tyranny, as contrasted with the present liberty expressed, § 94, by *πολιτεύεσθε*. — *πόλεμον*, G., 159. H., 547, a. — *ἥττηθέντες*, in the following paradox the unnaturalness of their recent civil war is well characterized.

93.—*οῖκοι*; *οῖκοι* often = *οὐσία*, as, Lysias, XIX. 47: *οῖκος οὐκ ἔλαττον ἢ ἐκατὸν ταλάντων*. — *ἐκ τῶν πραγμάτων*, “as a result of their administration.” Compare § 56: the narrative, §§ 6–20, has substantiated the assertion. Rauchenstein and Scheibe before *ἐκ* insert [*ἄντεν*]. But while personal aggrandizement *would have been* a result of prolonged power, it *was* an actual result while their power lasted. Frohberger and others therefore reject the [*ἄντεν*]. — *ὑμᾶς*, i. e. you as a community; there were individual exceptions to the rule; see the next oration, § 16. — *συνωφελεῖσθαι*, “to share benefits,” *συνδιαβάλλεσθαι*, “to share accusations”; *ὑμᾶς* is subject of both; as to the idea, see *note* on *πᾶσιν ὅσοι*, § 30. — *κοινούμενοι...μεταδιδόντες*, denoting the means, see *ἀποψῆφισαμένους*, § 91. — *ἐκτῶντο*,

G., 200, N. 2. H., 702. — *τῶν ὀνειδῶν*, i. e. by compulsory participation in their outrages; compare Plato, *Apol.*, § 20: *καὶ ἄλλοις ἐκεῖνοι πολλοῖς πολλὰ προσέταττον βουλόμενοι ὡς πλείστους ἀναπλῆσαι αἰτιῶν*. — *ῳδόντο εἶναι*, G., 15, 2, N. 3. See note on *ῳδόντο κτήσασθαι*, § 19. “By such participation,” remarks Grote, “these citizens became compromised and imbrued in crime, and, as it were, consenting parties in the public eye to all the projects of the Thirty; exposed to the same general hatred as the latter, and interested for their own safety in maintaining the existing dominion.” *Hist.*, VIII. 244.

94. — *ἀνθ' ὁν*, H., 813, *fine print*. — *ἐν τῷ θαρραλέῳ*, G., 139, 2. H., 496. — *τιμωρήσασθε*, H., 691. — *ἥρχεσθε*, recalling the odious word (see § 92) for the sake of the contrast. — *νῦν* belongs with *πολιτεύεσθε*, H., 885; compare *εἰρημένοις ὑπ' ἐμοῦ*, § 77, and *note*. — *ἀρίστων*, i. e. the *ἄνδρες ἀγαθοῖ* in § 97. — *πολεμίοις*, the tyrants now besieged in Eleusis. — *ἐπικούρων*, the garrison of 700 Spartans; see *Introd.* — *ἀκρόπολιν*. The Acropolis, or citadel of Athens, was “a square craggy rock rising abruptly about 150 feet, with a flat summit of about 1,000 feet long from east to west, by 500 broad from north to south.” It was the chief centre of the architectural splendor of Athens. “After the Persian wars the Acropolis had ceased to be inhabited, and was covered with the temples of gods and heroes, and thus its platform presented not only a sanctuary, but a museum, containing the finest productions of the architect and the sculptor.” (Smith’s *Smaller Hist. Greece*, Ch. X., which see for a good condensed account of the Acropolis.) The occupation of their national sanctuary by domineering foreigners must have stirred the indignation of every patriotic Athenian. With this well-put appeal, therefore, the orator closes his address to that portion of his hearers from which he might apprehend some opposition.

95. — *τοσαῦτα*, see the same, and *note*, § 47. — *Πίειραιῶς*, the Piraeus party was the one which Lysias had sided with, see *Introd.*, and on whose full sympathy he might reckon. — *μάχας*, see *πόλεμον*, and *note*, § 92. — *ἀφγρέθητε τὰ ὅπλα*, G., 164. H. 553, a. See *note* on *ἀφείλοντο*, § 40. — *ἐξεκηρύχθητε* (see XXV., § 22). After the destruction of Theramenes, the Thirty forbade those who were not enrolled in the privileged list of the Three Thousand (see *note* on *κατεψηφίσατο*, § 52) to enter the city. Xen. *Hell.*, II. 4. 1. — *πόλεων*, those, namely, in alliance with Sparta. Xenophon, as just referred to, says *ἐνέπλησαν καὶ τὰ Μέγαρα καὶ τὰς Θῆβας τῶν ὑποχωρούντων*. Almost all of Greece was then included in the Lacedæmonian alliance; compare § 97, *πανταχόθεν ἐκκηρυττόμενοι*. Several cities refused to comply with the demand of Sparta, especially the two above named, with Argos, and Chaleis in Eubœa. — *ἐξητοῦντο*, for the middle voice, compare *ἡτήσατο*, § 59, *αἰτήσονται*, § 86, and *notes*. The demand of Sparta was inspired by the Thirty, and is therefore charged to their account.

96. — **δργίσθητε**; distinguish by the accent the aorist imperative from the aorist subjunctive. Happily for Athens, this strong and natural desire of revenge did not control the policy of the restored democracy. See *Introd.* “The Athenian Demos, on coming back from Piraeus, exhibited the rare phenomenon of a restoration, after cruel wrong suffered, sacrificing all the strong impulse of retaliation to a generous and deliberate regard for the future march of the commonwealth.” Grote, *Hist.*, VIII. 303. — **ὅτε ἐφεύγετε**, “when you were in exile.” — **οὐ**, compare *οὐτεῖτες*, § 40 and **οὐ**, § 65. — **ἀγορᾶς**. The Agora — corresponding in nature to the Forum at Rome — lay at the foot of the Acropolis toward the northwest; not southwest, as generally stated (see Smith’s *Map*, 1873). It was adorned with colonnades, one of which, the *Στοά Ποικίλη* (from which the Stoic philosophers got their name), was especially famous for its paintings; and was lined with temples and the statues of gods and heroes. Here also was the Senate House (*βουλευτήριον*), and the *θόλος*, or Round House, in which the Prytanes (see XVI., *General Note*, 3) took their common meals, and offered sacrifice. As a focus of political freedom, and under the special protection of the tutelary gods whose statues and temples it contained, the Agora is significantly mentioned here in connection with *τῶν ιερῶν*, as desecrated by the violators of civil liberty. — **ἐκ τῶν ιερῶν συναρπάζοντες**, e. g. Theramenes had been dragged from the altar of Hestia in the senate house. — **φονέας αὐτῶν**, i. e. by drinking the hemlock-cup. — **ταφῆς**, see §§ 18, 87. — **βεβαιοτέραν**; there is a kind of (*rhetorical*) zeugma here; as applied to the government it means *more stable*, as applied to the divine vengeance it means *more certain*. For the definition of *grammatical zeugma*, see H. 882.

97. — **διέφυγον**; **διεφύγετε** would correspond better with the concluding **ῆλθετε**. — **πλανηθέντες**: after the triumph of the extremists in the murder of Theramenes, such a reign of terror set in throughout Attica, that emigrants in great numbers, and many in great destitution, swarmed into all the adjacent districts. — **ἐκκηρυττόμενοι**, see note on *πόλεων*, § 95. — **πολεμιά**, predicate, compare *ταχεῖαν*, and *note*, § 70; translate, “their native country, which had become a hostile country.” — **τοὺς μέν**, i. e. those left behind **τοὺς δέ**, i. e. those in exile; in each case the preceding *τοὺς παιδας*. — For the terms of peace, see *Introd.* So far as concerns actual fighting between the Piraeus party, under Thrasybulus, and the Spartans, under Pausanias, the honors of war were chiefly, though not wholly, with the latter. But the spirit and force displayed by the exiles, together with the universal clamor against the misgovernment of Athens, combined with the anti-Lysandrian feelings of Pausanias to put the speediest end to the troubles by an accommodation satisfactory to the Athenians themselves. For Sparta herself this was not only the easier course, but also, in the view of the Greeks generally, the more popular one.

98. — **τούτων**, “these objects,” i. e. the liberation and the restoration. G., 171. H., 580. — **ἄν**, see note on **οὐδό** **ἄν**, § 82. — **έφεύγετε**; why not aorist, like the connected verbs? See **έδιναντο**, and note, § 85; translate, “you would be in exile.” H., 698. — **μὴ πάθητε**, G., 20 and 46. — **τρόπους**, as described, § 96. — **ἐπὶ ξένης**, supply **γῆς**. — **συμβολαίων**, “loans”; properly, bonds or notes for repayment of loans. — **έδούλευον**, as bound to liquidate their indebtedness by a fair term of service.

99. — **Άλλὰ γάρ**, see XXV., § 17, and note. — **τὰ μέλλοντα**, equivalent to **ἄ** **ἔμελλεν**, with an implied **ἄν**, G., 49, 2, N. 3, (e). — **οὐ δυνάμενος εἰπεῖν**, recurring to the thought with which he began, **ἀνάγκη...ἀπειπεῖν**, § 1. — **προθυμίας**, G., 172. H., 575. — **τῶν ιερῶν**, a term comprehending, with the temples themselves, also the movables therein, and the lands belonging thereto: the wider signification appears in **ἀπέδοντο**; the narrower in **εἰσιντεῖς** — **ἔμιανον**; the presence of a man-slayer or other criminal polluted the sanctuary. Observe the distinction between the aorist and imperfect. **ἀπέδοντο** refers to them as sold and done with; **ἔμιανον**, as subject to recurring acts of desecration. — **μικρὰν ἐποίουν**, see § 70. — **τῶν νεωρίων**; these included ship-houses (**νεώσικοι**), of which, in the three harbors of Piraeus, there were 372, dock-yards for building (**ναυπήγια**), and a naval arsenal (**σκευοθήκη**) which contained armor and stores for 1,000 ships. These **νεώρια**, or navy-yards, were constructed, under Pericles, at a cost of 1,000 talents. The Thirty had let out the work of demolishing them for the sum of three talents. Their motive is stated § 40. — **οῖς...βοηθήσατε**, compare **οῖς δηλώσατε**, § 60.

100. — **ήμῶν**, all the speakers. — **ίμᾶς εἰσεσθαι...φέροντας**, “will take knowledge how you vote.” — **ἀποψηφίσησθε**, G., 61, 3. — **αὐτῶν**, “them,” reflexive, with some emphasis. H., 671. — **καταψηφιεῖσθαι**, which Scheibe (ed. II.), Cobet, Frohberger, etc., read after the MSS., seems preferable to the conjectural **κατεψηφισμένους** **ἐσεσθαι**, which Rauchenstein adopts. — **λάβωσιν**; **λάβητε** would correspond better with the preceding **ἀποψηφίσησθε**: for a similar interchange of the second and third persons, see § 97, **διέφυγον** and **ῆλθετε**. — **πεποιημένους**, G., 113; not to be diluted into an infinitive by supplying **ἐσεσθαι**. — **Παύσομα...δικάξετε**, for the asyndeton (H., 854) Frohberger cites Aristotle, *Rhet.*, III. 19, **τελευτὴ δὲ τῆς λέξεως ἀρμόττει ἡ ἀσύνδετος, ὅπως ἐπίλογος, ἀλλὰ μὴ λόγος ἡ· εἰρηκα, ἀκηκόατε, ἔχετε, κρίνατε.** — **ἔχετε**, “you understand”; literally, “you have,” i. e. the facts and their interpretation. In Latin, *habeo* is similarly used. The first four imperatives may be imagined as deliberately uttered, in tones corresponding to their climactic arrangement; then a pause at the colon, followed, impressively, by the concluding **δικάξετε**.

REPLY TO “THE OVERTHROW OF THE DEMOCRACY.”

XXV.

INTRODUCTION.

IT has been stated in the *Introduction* to the Oration against Eratosthenes, that in order to check revengeful prosecutions after the restoration of the democracy, B. C. 403, Archinus, who had been the chief colleague of Thrasybulus in the struggle for the restoration, and to whom, next to the gods, as Demosthenes said, the city was indebted for her salvation, had the famous law passed, in the year after the restoration, which entitled persons prosecuted contrary to the amnesty to the privilege of a demurrer. Reference has also been made in the *General Note* (5) to the Defence of Mantitheus to the *dokimasy*, or scrutiny of the record of persons chosen to office, as affording an opportunity for the gratification of animosity in cases where it would be less easy to prosecute successfully a complaint under a specific law. In the present oration we probably find an instance where the revenge precluded by the law of Archinus was sought through the *dokimasy*. That this oration was prepared for a case in *dokimasy* seems pretty clear from some expressions in §§ 3 and 4. Such as the following, § 10, *ἱμᾶς οὖν χρὴ ἐκ τούτων δοκιμάζειν τοὺς πολίτας*, and § 23, *ἡμᾶς μετέχοντας τῶν πραγμάτων*, are not easy to understand in any other way.

That the date of the oration must be placed very soon after the restoration, is probable, not only from § 24, which represents the exiled faction as watching to see what policy would be adopted in the resettlement of affairs, but also from the way in which the time of misrule is referred to as but just past. From §§ 23 and 28, in which only the oaths of amnesty and concord are referred to, it has been inferred that the law of Archinus had not yet been passed, and consequently that the oration was delivered between the restoration in September, 403, and the beginning of 402. But as the law of Archinus had reference only to judicial proceedings, and provided only a judicial bar to such proceedings, the inference from silence in regard to that law in a case

of dokimasy perhaps cannot be absolutely depended on. In the dokimasy, says Curtius, “it was easy to reopen the old account of wrongs, without violating the amnesty in terms ; and whosoever, after giving a lively description of the oligarchic intrigues, put the question whether men who had taken part in them were really worthy of filling offices of public trust, might rely upon applause, and cheaply acquire the glory due to a friend of the people.” — *Hist.*, IV. p. 153. It is clear from an expression in § 28, that *some* interval had elapsed since the restoration. See *note* on *πολλάκις . . . διεκελεύσαντο*. This interval, however, can hardly have been more than a year.

The title given to this oration by the old grammarians is not obviously intelligible. It is probable (see Curtius, *Hist.*, IV. p. 155, *note*) that the phrase *δῆμου κατάλυσις* — “overthrow of the democracy” — had become a party cry of demagogues, and that it contains the pith of the objection made to the present speaker, as having favored the recent overthrow of the democratical constitution. His defence, therefore, might be entitled a “Reply to the Charge of Overthrowing the Democracy,” or, in abbreviated form, a “Reply to ‘the Overthrow of the Democracy.’”

A wonderful moderation had characterized the proceedings of the Athenian democracy in its exultant return to power. The soul of that policy, so unprecedented in Greece, was Thrasybulus, and the equally worthy, though less celebrated, Archinus, of whom Curtius says, that “in intellectual capacity and in the spirit of his opinions, he was the foremost man of the restoration.” — *Hist.*, IV. p. 68. The race of sycophants, however, had not died out (see *General Note* (10) to the Oration against Eratosthenes) ; and as it was not to be expected that the magnanimous spirit of the leading patriots would animate every democrat who had suffered from the fury of the oligarchs, so the arts of venal and greedy men were at hand to rouse and tempt the dormant spirit of revenge. And this indeed took place. “Fellows of the vilest kind, only entitled to be tolerated in the city . . . under cover of the amnesty, promoted the most shameless charges, and hired themselves out for money to annoy other citizens in the enjoyment of this very amnesty.” — Curtius, *Hist.*, IV. p. 155. Such persons apparently had appeared against the present speaker. If their base practices were to succeed, could the original policy of amnesty and toleration be supplanted by one of proscription and revenge, the road to another revolution would be entered on. And the stability

of the restored democracy lay only in turning a deaf ear to the men who for ends of the most despicable selfishness sought to evoke and pander to the spirit of retaliation. The only prospect of peace and prosperity lay in faithful adherence to the Thrasybuline policy of moderation, and the oaths that guaranteed it, § 28.

This is the drift of the speaker's argument. He speaks like a man who, previous to the revolution, might have favored a moderate oligarchy, or at least a limited democracy. He, indeed, avows no preference for either form of government, and it is quite clear that he is no earnest democrat ; but the tone which he adopts — urging the interests of the country as superior to those of party — is such as any sensible member of a hopelessly worsted party might well assume at such a time. In contrast with the prevailing spirit in Grecian politics, the sentiments of the speaker are remarkably elevated. (See note to § 70 in the preceding oration.)

The difference in tone between this oration and the Oration against Eratosthenes is very striking. In that we seemed to hear the cry of an extremist for vengeance ; in this we listen to the plea of a moderate for toleration. It is not necessary, however, to suppose that the views of Lysias had undergone such a change in the short time — at most but a few months — since he had demanded the punishment of his brother's murderer. Eratosthenes having been specially excepted, as one of the Thirty, from the amnesty, Lysias could with entire consistency pursue him to the death, and at the same time call upon the people, as in this oration, to abide by their covenant with those to whom amnesty had been sworn. It is quite unnecessary, therefore, to attempt to account for the difference in the tone of these two orations, by referring to what has been said in the *Biographical Introduction* of Lysias's skill in adapting speeches to the individuality and circumstances of the speakers.

Lysias was on friendly terms with Thrasybulus and other leading democrats, and we may well suppose that we have in this oration the views, not only of Lysias himself, but of the best men in the party which then controlled the policy of Athens.

The burden of the charge against the speaker was, that he had not cast in his lot with the exiled democrats, but had remained in the city during the despotism of the Thirty, by which, it was claimed, he showed himself on the side of those who had overthrown the democracy, as a man who had nothing to fear from them. The reply is

presented in a very simple train of thought, which, with no display of oratorical ingenuity or art, holds us by its solid good sense and transparent truthfulness.

In form, the oration is a personal exculpation, but in substance it is a statesmanlike demonstration of a sound political policy. Twice in the last nine years had internal abuses, through the machinations of sycophants and oligarchs, overthrown the democracy ; and no sooner had the state regained liberty and peace after the second and most disastrous of these revolutions, than the same evil practices began to be rife which had led to the woes just past. In such a situation the speaker, mostly abstaining from his personal matters (and therein presenting a marked contrast to Mantitheus), proceeds to show, from the fresh memory of the recent troubles, where lies the seed of all political instability and disorganization, and to demonstrate the only basis of future permanency and prosperity under the newly re-established government.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

1. *Arbitrators.* The pressure of business on the courts of Athens was relieved by the institution of arbitrators (*διαιτηταί*). Of these there were two kinds, the *private* (*αἰρετοί*), chosen by parties themselves, as among us, to be referees in particular cases, and the *public*, drawn annually by lot (*κληρωτοί*). The number of these arbitrators in the year B. C. 325 is known by an inscription to have been one hundred and four. It is probable that they heard civil causes only. It was at the option of the complainant to bring his case before them or a higher court. Which of the public arbitrators should hear any case was determined by lot. The parties might, however, agree to select their arbitrator. In that case there was no appeal from the award. The public arbitrators, besides lawsuits, sometimes sat to examine matters which could not be conveniently examined in a court of justice, as wills, deeds, etc. It was sometimes the case also, that they were called on to preside at the examination by torture of a slave supposed to be cognizant of some disputed matter. (See *General Note*, VII. 2.) The compensation of the public arbitrators was by prescribed fees from the parties interested. -

2. The *Euthyne*. The legislation of Solon, B. C. 594, imposed on the archons the requirement of having their year of office reviewed and judged by the popular assembly. This custom spread at a later period into every branch of the public service. Every person who had filled any office — the dicasts excepted — was obliged, within thirty days after the expiration thereof, to render an account ($\epsilon\nu\theta\bar{\nu}\eta$) of his administration. Until this was done, many of the civil and even personal rights of the ex-official remained in abeyance, and whoever refused to render his account was punished with forfeiture of civil rights. Any citizen had the right to bring complaint against an ex-official in the euthyne. In the case of financial officers the scrutiny was specially strict ; in many other cases, the mere non-appearance of an accuser entitled the past officer to an honorable discharge.

3. *Atimia* ($\ddot{\alpha}\tau\mu\alpha$), literally signifying dishonor, technically signified the loss of civil rights. He who incurred it suffered a kind of civil death. He was excluded from the agora, the public sanctuaries, and the public sacrifices ; he could be neither plaintiff, defendant, nor witness in any judicial process ; he could neither speak nor vote in any public body ; he could hold no place whatever in any branch of the public service. While he was not actually proscribed as a mark for enemies, he had no claim to the protection of the laws so long as he was *in atimia* ($\ddot{\alpha}\tau\mu\oslash$).

Atimia was of three kinds, (1) total and perpetual ; (2) total, but terminable ; (3) partial. The first kind was inflicted on givers or takers of bribes, defaulters to the treasury, cowards, false witnesses, false accusers, unfilial sons, unjust judges, spendthrifts, fornicators, and those who insulted a magistrate in his duty. The second kind was terminable as soon as the duties were performed, whose neglect had incurred it ; the public debtor was *atimos* no longer than his debt remained unpaid. The third kind extended only to particular rights ; e. g. the failure of an accuser to carry the votes of one fifth of the jury deprived him of the right to appear again as accuser in a similar case.

It was difficult to remove atimia in ordinary times ; but occasionally, when grave peril menaced the state, considerations of the public safety induced the restoration of civil rights to the *atimoi* in a body, § 27.

4. *Apagoge* ($\ddot{\alpha}\pi\alpha\gamma\omega\gamma\bar{\eta}$). This was a summary process, by which a culprit caught in the act could be led at once before a magistrate,

who, upon proof of guilt, could inflict punishment without reference to the courts ; otherwise the case must go up for regular jury-trial. The magistrates who presided over the apagoge were generally the Eleven (the board which had charge of the prisons, the police, and the punishment of criminals), or some one of the archons. In case the complaint were ill-founded, the complainant was liable to forfeit 1,000 drachms (§181). The process of apagoge was tyrannically abused by the Thirty. (See also *General Note*, VII. 3.)

NOTES.

XXV.

ANALYSIS.

I.—The Exordium, §§ 1–4.

The orator conciliates his judges, and impugns his accusers, § 1.

Declares these either incompetent or false, § 2.

Asks that they be discountenanced, and the innocent impartially treated, for the city's sake, § 3.

As both innocent and meritorious, he claims civil rights, § 4.

II.—The Argument, §§ 5–34.

A. Negatively. There is no case against him ; the accusers have been driven to tax him with the crimes of others, § 5, but

It is unjust to reward or punish the wrong persons, § 6.

B. Positively.

1. *With reference to his own case*, §§ 7–18.

a. In general : the test of the revolutionary and of the loyal spirit, §§ 7, 8.

As illustrated in the two recent revolutions, § 9.

Furnishing a fair rule for the dokimasy, § 10.

And a test of the accusations of sycophants, § 11.

b. In particular : his own case as illustrating the foregoing principle, § 12.

Especially as to his condition under the recent oligarchies, §§ 13, 14.

And to his conduct during the same, §§ 15, 16.

Which record guarantees his future course, § 17.

Who then are not, and who are, worthy of popular displeasure, § 18.

2. *From the tyranny of the Thirty.* You blamed them for visiting the sins of the few upon the many, § 19.

Consistency and the public good require you to blame their policy still, § 20.

3. *From the suicidal error of the oligarchs.* You were disheartened while they agreed, § 21, but Elated and strengthened by their disagreements, § 22. Therefore concord and observance of the amnesty are your salvation, § 23, but A proscriptive policy your perdition, hoped for by your enemies, § 24.

4. *From the history subsequent to the fall of the Four Hundred, §§ 25-27.* Showing the ruinous consequences of listening to sycophants, § 27.

5. *From the counsels of the leaders of the restoration, § 28.* With whom as political guides contrast the sycophants, §§ 29-31, Whose influence reduces democracy to a mere name, § 32, Who favor only their selfish ends, §§ 32, 33, Whose base principles and practices are notorious, § 34.

III.—The Peroration, §§ 34, 35.

The *claim* and the *apprehension* of innocent citizens in the situation of the speaker.

1.—**λόγων**, i. e. those of the accusers. — **γεγενημένων**, i. e. in the time of the Thirty. — **όργιζεσθαι**; Frohberger remarks, that a more usual construction with **συγγνώμην ἔχειν τινί** is a participle, or a clause with **εἰ** or **έάν**, more rarely **ὅτι**. **όργιζεσθαι** clearly stands in the relation of a protasis to **συγγνώμην ἔχω** (*G.*, 52), and so one MS. reads **εἰ ὄργιζεσθε**. — **ἀμελοῦντες... ἐπιμελοῦνται**, Socrates (*Mem.*, III. 7, 9) reproaches the Athenians in general with this fault: **οἱ γὰρ πολλοὶ ὀρμητάτες ἐπὶ τὸ σκοπεῖν τὰ τῶν ἀλλων πράγματα, οὐ τρέπονται ἐπὶ τὸ ἀντούνειν ἐξετάζειν.** — **ἢ ὑμᾶς πείθειν**; instead of these words Francken would read **ὑμᾶς πείθοντες**. — **ἡμῶν**, i. e. who remained in the city. — **γνώμην ταύτην**, i. e. **όργιζεσθαι**.

2.—[**πάνθ' ὁμοῦ**]. Frohberger and Francken read simply **όμοῦ**, without brackets. — **ώς... προσῆκον**, *G.*, 110, 2, and see **ώς οὐκ ἔχων**, XII., § 2, and *note*. — **ἐμοί**, emphatic. — **ποιοῦνται τοὺς λόγους**, see the same phrase, and *note*, XII., § 2. — **ὅντα**, i. e. during the rule of the Thirty, *G.*, 16, 2. — **οἰόσπερ**, *H.*, 850, 3. — **βέλτιστος**, *Buttmann's Gr.*, § 68, 1, thus distinguishes in signification the anomalous forms of comparison given under **ἀγαθός**: **ἀμείνων, ἀριστός, abler, braver, filter**; **βελτιών, βέλτιστος, better in a moral sense**; **κρείσσων, κράτιστος, stronger, superior**; **λάχων, λάχτος, more advisable**, only used in certain connections. — **μείνας**, *G.*, 109, 6.

3.—**ἐκ τούτων**, involves a protasis, = if they should accuse these. — **χρηματίζοιντο**, because the innocent frequently, through timidity, prefer to pay hush-money. — **ἐξ ίσου**, “on equal terms,” i. e. to men of both parties. — **οὕτω**, involves a protasis, = “if you should so do.” *G.*, 52, 1, and the concluding examples.

4.—**ἀποφήνω... γεγενημένος**, for **ἀποφήνω ἐμαυτὸν γεγενημένον**, *H.*, 797. So also Francken and Frohberger, instead of the **ἀποφανῶ** of the MSS. — **ταύτα**, i. e. equal civil rights. — **ῶν**, depends on **τυγχάνειν**.

5.—The speaker here begins his *argument*. See Analysis. — **τεκμήριον**,

of *what*, can easily be inferred. The thing to be proved is regularly stated, as Francken observes, by a clause with *ὅτι*, but here the *ὅτι* clause contains the proof itself. — **κατηγόρουν**, for the construction following, see G. 173, 2, N. — **τιμωρεῖσθαι**, middle.

6. — **εἰκότως ἄν**, a repetition, in varied phraseology, of the idea already expressed in **δίκαιον εἶναι**. For a similar repetition, compare **αισθάνεσθαι**, § 23. The *ἄν* expressed with **εἰκότως** (which might also have been expressed with **δίκαιον**) indicates it as involving an apodosis. The full form would be **εἰκότως ἄν ἔχειν, εἰ...τυγχάνοιεν**. — **ικανοί...καλοί...νομίζοντες**, co-ordinate predicates after an understood *εἰσίν*.

7. — **οὓς**, an infrequent use of the relative in place of the interrogative. — **καὶ δημοκρατίας**; read instead **καὶ οὓς δ.** So Rauchenstein, Cobet, and Frohberger. — **καὶ ὑμεῖς**, *you*, as well as I. — **γνώσεσθε**, connects with the following *ώς*. Frohberger, bracketing only **ἀποφαίνων**, as the interpolation of some copyist, regards **καὶ...ποιήσομαι** as a genuine parenthesis. — **ἐν δημοκρατίᾳ...ἐν ὀλιγαρχίᾳ**, “under a democratic,” “under an oligarchic constitution.” The same words with the article, as in §§ 11, 15, 27, refer definitely to the actually existing democracy, or oligarchy. — **οὐδέν**, G., 160, 2. H., 848, a. — **προσῆκον**, Rauchenstein supplies **ἐστί**: better to construe here as in § 2. See G., 113 (b), last example. Translate: “that I have no inducement at all to be ill-disposed.”

8. — **όλιγαρχικός**, H., 469, b. — **δημοκρατικός**, not elsewhere used by the orators, and so Cobet substitutes here its more common synonyme, **δημοτικός**, Lat. *popularis*. Frohberger, however, cites an example from Plato's *Republic*, IX. 571: **οὐ τυραννικὸς ἀνὴρ πῶς μεθίσταται ἐκ δημοκρατικοῦ**, and remarks that the philosophical notion is what Lysias wishes here to express. As to the proposition here stated, it occurs also in Isocrates, VIII., § 133: **παντού μεθα δημοτικούς μὲν εἶναι νομίζοντες τοὺς συκοφάντας, ολιγαρχικούς δὲ τοὺς καλοὺς κάγαθοὺς τὰν ἀνδρῶν, γόντες ὅτι φύσει μὲν οὐδεὶς οὐδέτερον τούτων ἔστιν, ἐν ἦ δ' ἄν ἔκαστοι τιμῶνται, ταύτην βούλονται καθιστάναι τὴν πολιτείαν**. The idea that the individual existed for the state was combined in ancient politics with this idea that the state-constitution existed for the individual. — **συμφέρῃ**, G., 62. — **οὐκ ἐλάχιστον**, a *litotes*; see the same, XII., § 22, and *note*. Translate: “it lies to a very great degree with you.” — **ώς πλεστούς**, H., 664, a.

9. — **προστάτας**, H., 726. — **μετεβάλλοντο**, the imperfect is preferable to the aorist, because of the *repeated* changes. So also Scheibe. Two revolutions and two restorations had taken place in about nine years. — **Φρύνιχος**, a man of great talents as an orator and a general, had worked his way up by intrigues and sycophancy, till we find him prominent among the Athenian commanders at Samos, B. c. 412 and 411. At first an opponent, he was gained over to be a partisan of the first oligarchy, and was assassinated

shortly before the downfall of the Four Hundred. — **Πεισανδρος**, a man who stood in evil repute at Athens as an effeminate debauchee, and who was at the same time a born intriguer, and an adept in dissimulation. Curtius, *Hist.*, III. p. 333. See also XII., § 66, and *note*, and VII., § 4. — **τὰς...τιμωρίας**, observe the article,—the due, or the lawful punishments. H., 527, c. — **τὴν προτέραν ὀλιγαρχίαν**, see XII., § 65. — **ἕντοι**, especially Theramenes, XII., §§ 66, 67. — **ἀπογραψαμένων**. Grote (*Hist.*, VIII. p. 280, note 2) confesses that he does not comprehend this allusion. Rau-chenstein thinks it refers to those citizens who had pledged themselves to go with the Thirty, in case these thought it necessary to retire to Eleusis, but who, instead of keeping their engagement, united with the Piræus forces under Thrasybulus in blockading Athens. Frohberger's explanation seems preferable, viz.: Those who "enlisted for Eleusis" are those who preferred to remove to Eleusis under the Thirty, rather than remain in Athens under the amnesty; but afterwards thought better of it, and joined the Athenian army in blockading their late superiors in Eleusis.

10. — **πολιτείας**, observe the emphatic position given this word by inverting the usual order of subject and predicate. — **αἱ διαφοραί**, see XII., § 51. — **ἐκ τούτων**, "from this point of view." — **ἐν τῇ δημοκρατίᾳ**, see *note* on **ἐν δημοκρατίᾳ**, § 7. — **ἥσαν...πεπολιτευμένοι**. Francken regards this connection of the pluperfect with the present, **χρή**, as a strange one, and suggests that **χρή** should be **χρῆν**. But see *G.*, 17, N. 2. Translate accordingly: "considering what their political relations were." — **ἐγίγνετο**, the imperfect, with reference to a continued time after the change of constitution. — **δικαιοτάτην**, predicative, see **ταχεῖαν**, XII., § 70, and *note*. Distinguish the protasis and the apodosis which are combined in the proposition **οὕτω...ποιοῦσθε**. See **οὕτω**, and *note*, § 3.

11. — **ἀτιμοί**, see *General Note*, 3. — **εὐθύνας**, see *General Note*, 2. — **δεδωκότες**, suggests the ground of the atimia. — **ἀπεστερημένοι...κεχρημένοι**, supply **ἥσαν** with each. Three classes are specified, viz. those who had suffered atimia, those who had been impoverished (perhaps by liturgies or fines), and those who had suffered any similar adversity (as by the loss of a valuable office). — **προσήκειν αὐτοῖς**; for another construction, see § 7. — **ἐλπίζεντας**, remains constant to its infinitive, though its subject has been attracted into the dative by **προσήκειν**. — **αὐτοῖς ἔσεσθαι**, **αὐτοῖς** is emphatic. *G.*, 145. *H.*, 669, b. — **ὁφείλεται δὲ αὐτοῖς**; when the relative pronoun would be in different cases in connected propositions, the Greek was fond of changing the relative to **αὐτός**, sometimes **οὗτος**, in the second and successive members of a compound sentence. — **τὰς περὶ τούτων**. So also Francken; but Frohberger omits **περί**. — **οὐδ' ἀν**, see **ἀν...ἀναφέρωσι**, and *note*, XII., § 28. — **οἱ...πράττοντες**, "the politicians." — **φάσκωσιν**, "should assert." The distinction between **φάσκω** (assert, or allege) and

φημί (say), was not always observed. Compare φασίν, XII., § 49, VII., § 2; φησίν, VII., § 28.

12. — ἐμοί, emphatic. — ἐν ἐκείνῳ τῷ χρόνῳ, i. e. under the democracy, § 11. — οὐδεμία, receives emphasis by separation from its subject, συμφορά. — ἀνθ' ἡστίνος. Compare ἀνθ' ὅτου, XII., § 2, and *note*. — ἀν προθυμούμενος, G., 42, 2, and N. 1. Compare οὐδ' ἄν, XII., § 82, and *note*. — παρόντων...ἀπαλλαγῆναι, see XII., § 45. — ἐτέρων...πραγμάτων, a change of government, a revolution; so the Latin *novae res*. For ἐτέρων Cobet reads *νεωτέρων*. What difference between the conception of the imperfect, ἐπεθύμουν, and an aorist, ἐπεθύμησα? — τετριηράρχηκα, ...εἰσφορὰς...λελειτούργηκα, see XII, *General Note*, 5, 6, 8. — οὐδενὸς χειρον, the negative belongs to the adjective; translate: "in a manner not inferior to any of the citizens." See οὐδενὸς ἡττον, VII., § 31, and *note*.

13. — πρόσταττομένων, no definite sum was required to be spent in the fulfilment of a liturgy, but a satisfactory execution of the trust was expected. — ἐδαπανώμην, H., 690. See VII., § 31. — βελτίων...νομιζοίμην, an unreserved avowal which no one hesitated to make. See XVI., § 17. — ὅν...ἀπεστερούμην, "of advantage from all which things I was deprived." — χάριτος, depends on *τυγχάνειν*. A case in point was that of the wealthy Antiphon, who had furnished two well-equipped triremes for the war at his own cost, but was put to death by the Thirty. — ὡς...εἰληφότες, G., 109, N. 4. — ταύτην, i. e. the injuries done you. The pronoun is very often assimilated to the gender of a predicate substantive. As to the fact stated, see XII., § 93. — παρ' ἡμῶν, i. e. those who remained in the city. — μή...λόγοις, see VII., § 34, *note* on λόγων.

14. — τῶν τετρακοσίων, see ἐφύρων, XII., § 46. G., 169. H., 572, a. — ή, "else." — ὁ βουλόμενος, G., 108, 2. — παρελθών ἐλεγέατω, "step forward [to the *bema*] and confute me." — οὐ τοίνυν οἰδ'; this emphasizes the second member of the sentence, see H., 859, a: translate: "nor indeed, furthermore." For the sixfold negative, see G., 283, 8. H., 843. οὐ qualifies the whole sentence, introducing it as a negative sentence; οὐδέ belongs specially to the temporal clause. — βουλεύσαντα...ἀρξαντα, H., 708. — εἰ μὲν...εἰ δέ, a sharply put and conclusive *dilemma*: "I was either not willing to serve under the Thirty, or not permitted to do so: if not willing, I deserve your approbation; if not permitted, my accusers deserve your condemnation as liars." For a similar bit of argument, see XII., § 34. — νυν, emphatic. — τιμάσθαι, i. e. by being admitted to the office to which I have been designated. — δικαιός εἰμι, "I am entitled," H., 777, and examples. — ψευδομένους, predicate accusative, G., 166. H., 556. — ἀποδεῖξαιμι; what is the protasis?

15. — ἀξιον σκέψαθαι, see *note* on ἀξιον λεῖν, XII., § 87. — παρέσχον. Could παρεῖχον have been used instead? With what difference would it

have presented the thought? For the active instead of the middle, see H., 688, a. — **κεχρῆσθαι**, *G.*, 18, 3, Remark. — **ὑπ' ἐμοῦ**, observe the emphasis repeatedly given to the personal pronoun in this section. — **ἐν τῇ ὀλιγαρχίᾳ**, see **ἐν ὀλιγαρχίᾳ**, § 7, and *note*. — **ἀπαχθεῖς**; for the technical meaning, see *L. & S. Lex.* (Am. ed.), **ἀπάγω**, IV. and *General Note*, 4. Imitating the despotic abuse of the summary process of *apagoge* by the Thirty (XII., § 16), private persons among their partisans resorted to it in taking revenge upon their enemies. — **εὖ πεπονθάς**, that is, unjustly, and for party purposes: *G.*, 165, N. 1.

16. — **οὐ τοίνυν οὐδ'**, see the same, and *note*, § 14. — **εὖ ποιεῖν...χαλεπόν**, because of the policy of the tyrants as described in XII., § 93. — **κατάλογον**, “a list of suspected persons was drawn up, in which each of the adherents of the tyrants was allowed to insert such names as he chose, and from which the victims were generally taken.” *Grote, Hist.*, VIII. p. 247. — **Αθηναῖων**, join with **οὐδένα**. — **δίαιταν**, *G.*, 159. *H.*, 547, a. See *General Note*, 1. — **καταδιαιτησάμενος**, causative middle. — **πλουσιώτερος**, see § 26, and XII., § 93.

17. — **καὶ μὲν δῆ**, see XII., § 30, and *note*. The speaker calls attention to the record just exhibited. — **ὅστις**, not **ὅς**, because, according to Frohberger, not the *man*, but the *sort* of man is the turning-point of the argument. Compare **οἷ** and **οἵτινες**, § 18, and see XII., § 40, **οἵτινες**, and *note*. — **ἡ που**, see XII., § 35, and *note*. — **προθυμηθήσομαι**; apparently the time since the restoration had been too brief for the speaker to give proof of good-will by any public service. — **ἀλλὰ γάρ**; the ellipsis may be filled by some such thought as **τι δεῖ πλείω λέγειν**; see XII., § 99. — **μὴ ἐπιθυμεῖν**; the same thought is elsewhere expressed by Lysias, e. g. XXI., § 15, **καὶ τοῖς θεοῖς εὔχεσθαι τοὺς ἄλλους εἶναι τοιούτους πολίτας, ἵνα τῶν μὲν ὑμετέρων μὴ ἐπιθυμήσωσι, τὰ δὲ σφέτερα αὐτῶν εἰς ὑμᾶς ἀναλίσκωσιν**.

18. — **δικαῖως**, see XII., § 54, and *note*. — **φυγόντας**; distinguish the signification of the aorist from the present **φεύγοντες**, § 20. — **ἐχθρούς**, see **ψευδομένους**, and *note*, § 14. — **ἀφηρημένους**, observe the force of the middle. — **σφετέρας αὐτῶν**, a mere variation of the preceding **ἐαυτῶν**, *G.*, 137, N. 1; 147, N. 2. *H.*, 676, *fine print*. — **ἐν τῷ ὅστει**. Cobet strikes out the **τῷ**. Frohberger, however, regards the article as giving a *local*, rather than a *party* reference to the phrase. — **οἵτινες**, “such as”; see *note* on **ὅστις**, § 17. — **μετέσχον**, why not **μέτεσχον**? — **ὑμεῖς**; for the sake of antithesis to **ἐκεῖνοι**, the subject of **οἴεσθε** is here repeated in the nominative, despite the contiguous infinitive: see *Buttmann's Gr.*, § 142, N. 3: “When, in a dependent clause, there are introduced other subjects besides that of the main sentence, and consequently, for the sake of antithesis, a repetition of the subject in the dependent clause seems necessary, a twofold construction may take place, viz. either all the subjects are put in the accusative, or the

repeated subject stands alone in the nominative," etc. Frohberger remarks that this construction is found in only one other instance in Lysias (XXX., § 8), but is very frequent in Demosthenes, and not rare in Xenophon. — *τῶν πολιτῶν*, i. e. of the *οἱ ἐν ἀστεῖ* party.

19. — ἐκ τῶνδες, "from the following considerations," H., 679. — *ἐκλεπτον* ... *ἐδωροδόκουν*, observe the force of the imperfect. Grote remarks that "personal and pecuniary corruption seems to have been a common vice among the leading men of Athens and Sparta." *Hist.*, V. p. 381. — *ἐπὶ τοῖς ὑμετέροις*, supply *πράγμασι*; *ἐπὶ* denotes the *occasion*. — *συικοφαντοῦντες...ἀφίστασαν*. Speaking of Alcibiades, Lysias says, XIX., § 52: *διπλάσια ἐκείνῳ ἡξίουν αἱ πόλεις διδόναι ἢ ἀλλῷ τινὶ τῶν στρατηγῶν, ὥστ' ἔντο τοῖς αὐτῷ πλέον ἢ ἑκατὸν τάλαντα.* — *τούτους μένους*, the *ἄδικοι* of XII., § 5. — *ἐτιμωροῦντο*, "had continued the practice of punishing," G., 49, 2. — *ἐκείνους*, i. e. the *peculators, sycophants, etc.* — *[τῶν] διλέγων*. Frohberger defends the bracketed article as needed to distinguish "the minority" from the body of citizens. — *κοινά*, emphatic.

20. — *τούτοις*, "these measures," i. e. punishing the many for the misdeeds of the minority. — *ἐκείνους*, in this connection, can only refer to the Thirty. *ἀ...πάσχειν* stands in the relation of object-accusative to *ἡγεῖσθαι*, and *δίκαια* is the predicate-accusative. — *περὶ αὐτῶν* refers to *ἐτέρους*, i. e. persons in the situation of the speaker. So Frohberger. See, however, the following. — *ἔχετε* is imperative. — *φεύγοντες*, H., 698. — *περὶ ὑμῶν αὐτῶν*. Rauchenstein brackets these words, regarding them as an interpolation occasioned by referring the preceding *περὶ αὐτῶν* to *persons, ἐτέρους*, whereas he refers it to the unjust *practices* complained of. — *τοῖς ἔχθροῖς*, see this thought amplified in § 23.

21. — *τῶν...γεγενημένων*, for the genitive after *ἐνθυμηθῆναι*, see XVI., § 20, and *note*. — *ἀμαρτήματα*, "mistakes." — *ἀμεινον* modifies *βούλευσασθαι*, from which it is separated, and placed forward in the sentence, for emphasis. — *ποιήσῃ*, G., 44. For the idea expressed, compare Virgil's *ab hoste doceri fus est*; also, Aristophanes's *ἀπ' ἔχθρῶν πολλὰ μανθάνοντιν οἱ σοφοί* (*Birds*, 376). — *ἀκούοντε*, G., 62. — *τὴν αὐτήν*, supply *ἀλλήλοις*. — *κακὸν...φυγῆ*; the same idea is expressed in Xenophon's account of Tharamenes's reply to Critias (*Hell.*, II. 3, 44): *εἰ δὲ τὸ κράτιστον τῆς πόλεως προσφιλῶς ἡμῖν εἶχε, χαλεπὸν ἀν ἡγεῖσθαι (τοὺς φεύγοντας) εἶναι καὶ τὸ ἐπιβαίνειν ποι τῆς χώρας*.

22. — *ἐπυνθάνεσθε*, preferable to *πυνθάνοισθε*. So also Francken, with Kayser, who remarks that the change of *ὅτε* to *ἐπειδή* corresponds well with the change of mood. The optative *ἀκούοντε* denotes an indefinitely repeated action; the imperfect, a definite continued action. — *τρισχιλίους*, a privileged number of citizens, supposed to be favorable to the Thirty, and therefore, together with the cavalry-men (see XVI., *Introd.*), permitted to hold

some civil rights. — **στασιάζοντες**, after the defeat at Munychia, in which Critias perished (see XII., *Introd.*). — **έκκεκηρυγμένους**, see ἔξεκηρύχθητε, XII., § 95, and *note*. — **μὴ τὴν αὐτήν**; see Thucydides, VIII. 89, and Grote's remarks (*Hist.*, VIII. pp. 58 – 60) on the greater likelihood of discord in an oligarchy than in a democracy. — **ὑπὲρ ὑμῶν δεδιότας**, “anxious for your success.” — **πολεμοῦντας**; all whom the Thirty could then rely on were the Lacedæmonian garrison and the cavalry-men. — **ἄπερ**, “precisely what.” — **σωθῆσεσθαι...κατιέναι**, Frohberger remarks that the omission of either of the infinitives would destroy the *isocolon*. See XII., § 7.

23. — **παραδείγμασι**, predicate-dative, H., 607, a. For the argument, compare XII., § 92. — **βουλεύεσθαι**; the word denoting the function of the dicasts was **δικάζειν**, XII., § 100, in order to which it was necessary, as intimated, **βουλεύεσθαι**, etc. — **ἔσεσθαι**; what other tense could be used? G., 25, 2. — **δημοτικωτάτους**, the superlative perhaps hints at improper applications of the epithet **δημοτικός**, which were common in Athens, as was the case also with the synonymous *popularis* at Rome. Compare Cicero (*in Cat.*, IV. 5), “*ne quis . . . in pernicie populi Romani posthac popularis esse possit.*” — **οἵτινες**, see § 18. — **όμονοεῖν**, emphasized here (by its position) as the watchword of a sound domestic policy. — **ὅρκοις...συνθήκαις**, see XII., *Introd.* — **ταύτην**, see the same, and *note*, § 13. — **αὐτοῖς**, the same as **οἱ φεύγοντες**, § 24. — **τούτων**, ἢ, one of these words is superfluous in translation. H., 884. Compare with this pleonastic use of the pronoun to announce the following clause, the Latin *hoc* or *illud*, in such sentences as, *Hoc te rogo, ut epistolam scribas.* — **αἰσθάνεσθαι**, not a necessary word, but thrown in to balance the **μέν** clause. Compare **σωθῆσεσθαι...κατιέναι**, and *note*, § 22. — **ώσπερ**, G., 109, N. 9.

24. — **πολιτῶν**, limits **πλείστους**. — **διαβεβλησθαι**, G., 18, 3, N. — **δέξαιντ',** here thrown into the middle of the sentence, because less emphatic than the two infinitives. What is the protasis? — **πονηρίαν...σωτηρίαν**, compare **ἀπειπεῖν...έπιλιπεῖν**, XII., § 1; see also §§ 54, 78, *notes*; also **σωτηρίαν...τιμωρίαν** above, § 23.

25. — **ἀ...συμβουλεύοντιν**, i. e. party revenge. — **ἀ...παραινῶ**, i. e. **όμονοεῖν**, § 23. — **ἀμφοτέραις...πολιτείαις**, i. e. both oligarchy and democracy. — **Ἐπιγένην**, the three individuals here named, and just before alluded to as **οὗτοι**, are not otherwise known, but were probably the accusers in this case. — **καρπωσαμένους...συμφοράς**, compare **οὐδὲ πλουσιώτερος**, § 16, and *note*. — **ἐνιων...θάνατον**, G., 173, 2, N. — **ἀκρίτων**, probably the six generals are referred to (see XII., § 36), who perished **ἀκριτοι**, so far as they had no constitutional trial.

26. — **ἀδίκως δημεύσαται**; the fact is more circumstantially stated in XXX., § 22: ἡ βουλὴ ἡ βουλεύοντα δταν μὲν ἔχη ἵκανα χρήματα εἰς διοίκησιν, οὐδὲν ἔξαμαρτάνει, δταν δὲ εἰς ἀπορίαν καταστῆ, ἀναγκάζεται εἰσαγγελίας

δέχεσθαι καὶ δημεύειν τὰ τῶν πολιτῶν καὶ τῶν ρήτορων τοῖς τὰ πονηρότατα λέγουσι πείθεσθαι. — ἀργύριον λαμβάνοντες, compare χρήματα λαβάν, and note, XII., § 8; λαμβάνοντες rather than λαβόντες, to denote a repeated act. — εἰσιόντες, i. e. with informations, εἰσαγγελίαι; see XVI., *General Note*, 7. — πρότερον...ἔως, see XII., § 71, and note. — πλούσιοι ἔγενοντο, see § 19.

27. — ύμεis...διετέθητε; Francken remarks that this also depends on the preceding *ἔως*, as the point to be described is not, mainly, the *disposition* of the Athenians, but, to what *condition* they had been brought by the practices of the sycophants. A comma, therefore, might stand after *ἔγενοντο*. So Frohberger, who puts a comma also after *διετέθητε*, where Francken omits *ώστε*, and puts a period. The measures here described were taken after the disaster of *Ægospotami*, and previous to the surrender of the city. The orator Patroclides, in the interest of the oligarchical party, proposed “that public debtors, and those who had been condemned in public suits, or whose case was still under judgment, those who had formerly been members of the Four Hundred, together with all who had wholly or partially forfeited their civil rights, should be reinstated in their full rights and honors. So comprehensive an amnesty had only occurred twice in Attic history: once under the archonship of Solon, as the introductory measure to his great work of reconciliation, and again at the time of the battle of Salamis, when it appeared necessary to unite all forces at hand for the preservation of the common country.” Curtius, *Hist.*, III. p. 564. Frohberger cites Cicero (*in Verr.*, II. 5, 6): “*Perditæ civitates desperatis jam omnibus rebus hos solent exitus exitiales habere, ut damnati in integrum restituantur, exsules reducantur, res judicatae rescindantur.*” — φεύγοντας, the restoration of the exiles could not be accomplished until the termination of the siege. It was then made an article of the treaty stipulations. — ὄμνυτε; Andocides (*Or. de Myst.*, § 76) says: *ἔδοξεν...πίστιν ἀλλήλοις περὶ ὄμονοις δοῦκαι ἐν ἀκροπόλει.* The imperfect tense is noticeable here in the series of aorists. It conceives the fact not as a single momentary occurrence, like the vote which decreed it, but as an action which required time for its completion. The Areopagus (see XII., *General Note*, 2) appears to have acted in this emergency as a Committee of Safety, and probably these proceedings were by its direction. See XII., § 69. — ήδιον...έτιμωρήσασθε, see § 19. — τοὺς ἄρξαντας, against whom, and their adherents, the sycophants had operated. — δἰς κατέστη, compare δἰς...κατεδουλώσατο, XII., § 78. Frohberger cites Plato (*Rep.*, VIII. 564): *ἡ ἄγαν ἐλευθερία ἔσικεν εἰς ἄγαν δουλείαν μεταβάλλειν.* — οἰς is governed by *πειθομένοις*, which agrees with *ὑμῖν* understood; and the subject of *ἔλνσιτέλησε* is the *πείθεσθαι* which is implied in *πειθομένοις*, and might have stood here in its stead. Rauchenstein, with Frohberger, prefers to connect *πολλάκις*

immediately with *πειθομένοις*. But the speaker's point is, that his hearers must *no more* follow evil counsellors. Accordingly, he says, in a kind of *litotes* (XII., § 20), *οὐκ ἀξιον τούτοις πολλάκις χρῆσθαι συμβούλοις*. The reading here followed is Scheibe's.

28. — *οἱ...έχοντες*, specially Thrasybulus, Archinus, and Anytus. The last named was a man of the people, uncultured and rough, who had become rich in the trade of a tanner, and who acquired afterward the ill-name of being one of the accusers of Socrates, and probably the influential mover of his prosecution. For Thrasybulus, see *note* on XII., § 52; as to Archinus, see *Introduction* to this oration. — *πολλάκις...διεκελεύσαντο*, *G.*, 30, 1, N. 1. See the speech of Thrasybulus, *Xen. Hell.*, II. 4, 40–42. Goodwin's *Gr. Reader*, p. 85. Time enough had apparently elapsed since the restoration for quite a number of occasions to arise, on which the leaders of the people had to insist on the observance of the amnesty. — *ταύτην*, for *τοῦτο*, referring to *έμμενειν*: see the same, and *note*, §§ 13, 23. — *ἀδειαν*, oftener construed with the simple genitive, XII., § 85. — *ποιήσειν* depends on an implied *γάγοντο*, and has for its subject *τοῦτο* understood, referring to *έμμενειν*.

29. — *οἱ*, i. e. to the leading patriots. — *δι' ἐτέρους*, for the case, see *δι' ίμᾶς*, XII., § 58, and *διὰ τούτων*, § 92. — *ἐσώθησαν*, see § 22, where this word and *κατιέναι* are used as synonyms. — *φανέρους*, the personal construction instead of the impersonal. Compare the use of *δῆλος*, XII., § 50, and *δῆλοι*, § 90. — *ἐν δημοκρατίᾳ*, see § 7, and *note*. — *ὅποιοι τινες*, the speaker has sketched himself already in § 17.

30. — *τούτων*, construed with *θαυμάζειν* by prolepsis, *H.*, 726, instead of standing as subject of *ἐποίησαν*. — *ἄν ἐποίησαν*, for the argument, see XII., § 34. — *πλούσιοι*, see § 26, and compare Cicero (*in M. Antonium*, II. 27), *modo egens, repente dives*. — *εὐθύνην*, in the disturbances of the times, there was probably no lack of pretences on which the *euthyne* could be avoided. — *πόλεμον*, i. e. a war of prosecutions. — *κατηγγέλκασι*, “have proclaimed,” as though the power were in their hands. — *τούτους*; for the change from the relative to the demonstrative, see § 11, *note* on *όφειλεται δὲ αὐτοῖς*. — *ἄπιστοι...γεγενήμεθα*, “we have lost the confidence of the Greeks.” There were complaints, e. g. of the favor shown to Athenian citizens in lawsuits with other Greeks. The demagogues had also, since the death of Pericles, gradually doubled the annual tribute of the dependent cities, not for war-purposes, so much as for largesses, shows, and buildings in Athens. See Plutarch, *Aristides*, § 24.

31. — *ἐκεῖνοι...οὗτοι*; see Lys. XXVIII. 13: *ὅσοι δὲ κατελθόντες ἐν δημοκρατίᾳ τὸ μὲν ὑμέτερον πλῆθος ἀδικοῦσι, τοὺς δὲ ἱδίους οἴκους ἐκ τῶν ὑμετέρων μεγάλους ποιοῦσι, πολὺ μᾶλλον αὐτοῖς προσήκει ὁργίζεσθαι ἢ τοῖς τριάκοντα*. — *δημοκρατίας*, supply *ούσης*. — *οἴονται χρῆναι*, sarcastic, “think it their

duty." — οὕτω ῥᾳδίως, "without further scruple." — ἀδικούντων...γεγενη-
μένοι, *G.*, 111.

32. — καὶ τούτων, Rauchenstein conjecturally emends καὶ to καίτοι in view of the preceding negation (§ 30) of the ἄξιον θαυμάξειν which he here asserts. The simple καὶ, however, is often used, as here, to introduce an antithesis. Compare VII., §§ 15, 40, and *notes*, and see L. & S. *Lex.* The speaker here offsets his previous remark by saying, "And yet, they are not so to be wondered at as *you*." — γιγνεται δέ, notwithstanding the principle of democracy is τὸ ἴσον, XII., § 35: δέ = "while," XII., § 87. — τὰ σφέτερα, see *note* on τῆς σφετέρας, § 18. — μὴ διδόντες, i. e. to the sycophants.

33. — [κινδύνους], Rauchenstein, bracketing this word, assents to the view of Cobet and Scheibe, that it is a mere gloss. — σωτηρία, Rauchenstein and Frohberger read σωτήρια, and cite XII., § 69. — τούτους μὲν ἐπιλύσεσθαι, the common text, for which Rauchenstein and Sauppe have ὑποδύσεσθαι, Frohberger ἐπιλήσεσθαι, — future middle with passive meaning, for which it is difficult to cite an example from Attic prose, — and Francken (who exclaims, "*Locus unus omnium difficillimus*"), ἐπιλύσα-
σθαι. The analogy of XII., § 84, τῆς τούτου πονηρίας (see *Note*) refers τού-
τους to the present accusers, as the speaker would probably show by a gesture; ἐπιλύσεσθαι signifies to become weak, i. e. to lose credit. — ἐκεί-
νους refers to the just-mentioned ἔτέρους. — τοῦτ' αὐτὸν δείσαντες, according to Kayser's conjecture, for the common text, τὸ αὐτὸν πάντες. Frohberger reads διὰ τοῦτο πάντως. — ἐμποδών εἰσιν, for the form of the apodosis, see *G.*, 50, 1, R. 1.

34. — τῷ βουλομένῳ, involves the protasis, εἰ τις βούλεται, *G.*, 49, 1. See XVI., § 7, and *Note*. — αὐτοί τε...ύμεις δέ; H., 855, b. Frohberger remarks, that this transition from a copulative to an adversative form, though quite common in the orators and historians, is used by Lysias elsewhere only in XIX., § 62. It throws the main emphasis on the second proposition. — μὴ δοκούντες, *G.*, 283, 4. H., 839. See μὴ in XII., § 85.

The Peroration, see *Analysis*. — ήμεις δέ; in his peroration, as in the introduction, § 1, and throughout the argument, the speaker expresses himself as a representative of his party. — πρὸς πάντας, observe the emphatic position. — συγγνώμην ἔχομεν, a recurrence to the introductory remark, § 1, but with a qualification. Observe the same recurrence to the opening strain in XII., § 99.

35. — δικην διδόντας, definite instances where this took place *in contra-
vention of the amnesty* — which δημός implies — are not known. The Thirty and their immediate agents were excepted from the amnesty, and the seizure and execution of their generals at Eleusis (see XII., *Introd.*) does not come within the scope of the speaker's remark, which bears only upon

civil processes. — εἰς ὑποψίαν καταστήσετε, i. e. “suspicion” that the sworn amnesty will be of no benefit to us, and that we must seek our security in new measures. But this will be likely to produce fresh troubles.

Though the speaker’s concluding word, or words, are lost, evidently little remained to be said. Francken suggests, that the conclusion might have been as follows: ἡμᾶς εἰς ὑποψίαν καταστήσετε ὑμῖν δ’ αἰσχιστα βουλεύσεσθε. ἐὰν δὲ τάνατοι, βοηθήσετε καὶ τοῖς νόμοις τοῖς κειμένοις, καὶ τοῖς ὅρκοις, οὐς δημωμόκατε.] But a terse brevity in the conclusion is characteristic of Lysias’s style (see *Biographical Introduction*).

AREOPAGITIC ORATION CONCERNING THE SACRED OLIVE TRUNK.

VII.

INTRODUCTION.

OLIVE culture has been from remote antiquity an important part of husbandry in Attica, whose soil and climate are peculiarly adapted to the production of a fine quality of that fruit, and where to this day extensive olive groves flourish on the banks of the Cephissus. The state very early exercised supervision over the olive-trees as a valuable source of national wealth. In the fifth century B. C. a law was passed which forbade the uprooting of olive-trees under a penalty of 200 drachms (\$ 36.20) for each tree destroyed, excepting for sacred purposes, or to the extent of two trees per annum for the convenience of the proprietor. (Grote, *Hist.*, III. p. 135.)

Besides the common olive-trees (*ἀλαι*), which were the property of private individuals, there were also public olive-trees (*μορία*), sacred to Athene, supposed to have been propagated from the sacred and immortal olive-tree in the Erechtheum, which Athene, in her contest with Poseidon for the possession of Attica, had miraculously produced. A plantation of these trees stood near the temple of Athene in the Academy. A considerable number of such *μορία* were also scattered about on private grounds, constituting incumbrances thereon. They were all registered, the right to gather their produce was leased, and their oversight was committed to the Areopagus (§ 29). This body both nominated inspectors (*γνώμονες*) to exercise supervision over the trees, and in its monthly sittings took cognizance of all complaints respecting them (§ 25). To cultivate the ground immediately about a *μορία* was forbidden under a fine (§ 25), as impairing the tree's productiveness. The removal of such a tree was punishable, as an outrage on a sacred object under the protection of *Ζεὺς μάριος*, by exile and confiscation (§ 3). The action was *ἀτίμητος* (XII. § 84, Note), and not subject to any statute of limitation, *προθεσμία* (§ 17).

During the Peloponnesian War, and the subsequent struggles between the oligarchical and democratic parties of Athens, the country

had been devastated far and near (§ 6), and the olive-trees, both common and sacred, had perished in large numbers. But the vitality of this tree ("silva vivaci olivæ," *Virg.*) is such, that when cut down it sprouts again, if the stump be left in the ground. To protect this new growth an enclosure (*σηκός*) had been thrown around, and a mutilated *μορία*, when thus enclosed, was called a *σηκός*, which term signified both the tree and the land enclosed, as well as the enclosing boundary. The same term is applied to the enclosures of temples and holy places generally, in which category the *μορίαι* belonged.

The present oration is the defence of a person, now of unknown name, who had been accused of removing one of these *σηκοί*, tree and all. He appears to have been a thrifty and influential landholder (§ 21), who, while not putting himself forward in polities, had fulfilled his duties as a citizen in a generous way (§ 31), yet had not escaped the envy and the enmity which a strong and successful man often provokes (§ 40). The accuser, Nicomachus, a young man, seems to have brought an utterly unfounded complaint, partly at the instigation of the enemies of the accused (§ 40), and partly in the hope of intimidating him to pay hush-money, in which expectation, however, he had been disappointed. He seems to be in a sorry plight with his case, having been obliged to abandon the original indictment, and to betake himself, in his address to the court, to a modified charge, in substantiation of which he has neither witnesses nor other evidence. The defendant, on the other hand, is able to produce witnesses enough to show that on the piece of ground alleged neither *μορία*, nor *σηκός*, nor any tree at all, had stood while the place had been in his possession. This is quickly done, and in a technical and legal point of view it is sufficient to secure the defendant's acquittal. But it was a point of honor to win, if possible, a unanimous acquittal, and to come off with eclat. It not only conferred respect, but secured immunity from further attempts of sycophants, when the accuser failed to carry at least one fifth of the jury in his favor; as he thereby was subjected to a fine of 1,000 drachms (§ 181), and to partial *ἀτιμία*. (See *General Note*, XXV. 3.) In the present case, therefore, the defendant does not rest content with having secured his acquittal; he means to leave his accuser not an inch to stand on. Accordingly, after having met the legal necessities of the case, he goes on, in the second and more discursive part of the oration, to exhibit, from various points of view, the tissue of improbabilities and absurdities involved in the charge,

the untrustworthiness of the accuser, and the utter weakness of his case.

The oration, as its title implies, was delivered before the senate of Areopagus (see *General Note*, XII. 2). The king-archon (see *General Note*, XII. 1) brought the case to trial, and presided. The date of the oration can be approximately determined. The alleged misdemeanor was committed (§ 11) when Suniades was archon, or B. C. 397. Blass dates the oration, at the earliest, B. C. 395.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

1. *Graphe* (*γραφή*) signifies in Attic law-language a public action as distinguished from *dike* (*δίκη*), or a private suit. (See *General Note*, XVI. 7.) In its common and limited application it is not inclusive of the *δοκιμασία*, or trial of qualifications (see *General Note*, XVI. 5), or of the *εἰθύνη*, or trial of accountability (see *General Note*, XXV. 2). In a public action the prosecutor was ordinarily required to be an Athenian citizen with unimpaired civil rights. And with the exception that in special cases advocates (*συνήγοροι*, see *General Note*, XII. 4) were retained by the state, the public interest in the repression of offences against the commonwealth was left to volunteer accusers and to the juries. Says Curtius: "In the Attic free commonwealth it was in truth the mission of every citizen to exercise a control over public life, and to see, so far as in him lay, that no unwarrantable act was allowed to go without its punishment." (*Hist.*, V. pp. 249, 250.)

The proper court in which to bring an action was often determined by the nature of the case, e. g. the Areopagus had jurisdiction in cases of homicide and impiety. Yet the six generals (see XII. § 36) were tried before the assembly for the death of the wrecked at Arginusæ, and Socrates was tried before a dicastery on the charge of introducing new gods, etc. In an ordinary *graphe* the proceedings commenced with a summons to the accused to appear on a certain day before the magistrate. Next came the preliminary hearing (*ἀνάκρισις*), in which the parties respectively made oath to the justice of their cause, settled questions of form, jurisdiction, etc., with reference to the coming trial, and exhibited their evidence. After the anacrisis, the trial came

on at the end of a set time, but might be deferred by legal machinations. The evidence which had been given in was kept meanwhile under seal in the custody of an officer. If the plaintiff dropped his accusation, he was subject to a fine of 1,000 drachms and partial atimia. The indictment was termed *γραφή*, or (particularly in case there were several defendants) *ἀπογραφή*, and the defendant was said *γράφεσθαι*, or *ἀπογράφεσθαι*. At the trial, the aim of the parties was to work upon the jury by the addresses of the orators, as they presented the evidence which had been developed in the anacrisis.

2. *Slaves.* In the commercial cities of Greece slaves were very numerous, performing the work of the artisans and mechanics of modern towns. The number held in Attica was nearly three times the number of the free inhabitants. (See *General Note*, XII. 11.) Many persons kept gangs of slaves to let for all kinds of service. The condition of Greek slaves was more tolerable than that of Roman, and at Athens they seem to have been even more leniently treated than elsewhere. Especially during the Decelean War, b. c. 413-404, when slaves to the number of 20,000, chiefly mechanics, escaped to the Spartan fortress at Decelea, fourteen miles northeast of Athens, the Athenians, to limit the evil, were obliged to adopt the most considerate treatment of their domestic slaves. (Curtius, *Hist.*, III. p. 426.) At all times, however, a person who struck or abused a slave was liable to prosecution, and an abused slave could claim the right of being sold away from a hard master. Neither could a slave be put to death, except by process of law. But he was not permitted to give evidence in legal proceedings, except under torture. Any person might offer his own slave or demand that of his adversary to be examined by torture. The slave, however, was not obliged to be given up, nor was it the general practice so to do, although the refusal of this challenge (*πρόκλησις*) was sometimes regarded with suspicion. The damage suffered by the owner of the tortured slave was guaranteed by the party at whose instance the torture was applied, and this was often done in the presence of an arbitrator (*διαιτητής*, see *General Note*, XXV. 1). The depositions of the slaves were then read at the trial, and those who were present at the torture added their testimony in corroboration.

3. *Ephegesis* (*ἐφήγησις*). This was the converse of the *apagoge* (*General Note*, XXV. 4). When one did not wish to incur the risk of forfeiting 1,000 drachms by an *apagoge* that might be proved

unwarrantable, he could have recourse to the *ephegesis*, conducting a magistrate or officers to the spot where the breach of law was going on, or where the culprit could be found. The cases in which these two kinds of process were common were murder, impiety, theft, ill-treatment of parents, etc.

NOTES.

VII.

ANALYSIS.

PART I.—TECHNICAL REFUTATION OF THE CHARGE, §§ 1–11.

PART II.—DEMONSTRATION OF ITS FRAUDULENCY, §§ 12–43.

I.—A. Introduction, §§ 1–3.

1. The injustice of the accusation, § 1.
2. Its vacillation, § 2, and
3. Its illegality, § 3.

B. Proposition, §§ 4–8: Proof to be furnished.

1. From *what date*, § 4.
2. To *what fact*, § 5.
3. Why no further, §§ 5–8.

C. Demonstration: Statement of facts, with the testimony, §§ 9–11.

II.—A. Introductory: The accuser admits that the defendant acts according to the *cui bono* principle, § 12.

B. Proposition: Whatever the defendant did must have been in accordance with the *cui bono*, § 12.

C. Demonstration, §§ 13–41.

1. From the *general principle* that such acts are not wantonly done. The bringer of such a charge is bound to show the *cui bono* of the act, § 13.
2. From the *particular results* to be expected, §§ 14–18.

- a. *Negatively*, no supposable advantage to the defendant lay in such an act, nor could he have been ignorant of its consequences, § 14, but
- b. *Positively*, publicity and punishment were inevitable, § 15.

- a. Through betrayal by slaves, § 16, or
- b. Through testimony of tenants, § 17, or
- c. Through informations from passers-by, or neighbors, § 18.

3. *Conversely*, from the obvious interest of the accuser, which he has neglected, §§ 19–23, which was

- a. Negatively, not bald accusation, § 19, but
- b. Positively,

- a. To summon passers-by to bear witness, § 20.
Whose absence he absurdly charges to the defendant,
§ 21.

- b. Or to call in the authorities, § 22.

The neglect of which legal steps stamps a worthless case,
§ 23.

4. *Contrariwise*, §§ 24–30.

- a. *What* breach of law self-interest might have tempted to, § 24.
Which the defendant did not commit, § 25.
And therefore cannot, as charged, have run a great risk for nothing, § 26.
- b. *When* a breach of law might have been committed by him with impunity, but was not, § 27.
- c. *Where* such a breach of law would have been most foolhardy, just there he has been charged with it, § 28.
- d. *By whom* such a breach of law, if committed, must have been detected; yet only the accuser seems aware of it, § 29.
All which facts no assertions of enemies should outweigh, § 30.

5. From the analogy, §§ 31, 32,

Of his record as a munificent and public-spirited citizen, § 31.
If he would not scrimp where it was safe and profitable, much less would he jeopardize everything for nothing, § 32.

6. From *congruity*, § 33.

A serious case should be settled by strong evidence, rather than by unsupported accusation, § 33.

7. From the *virtual admission* of the accuser, §§ 34–37.

The defendant offered the accuser his slaves to be examined under torture as to the facts, § 34.

Which offer he declined on frivolous grounds, § 35.

Exposing thus the fraudulence of his charge, §§ 36, 37.

8. *Recapitulation of the improbabilities* in the accuser's case, § 38.

Showing him to be a malicious and venal rascal, § 39,
In sorry contrast with his own open and fearless attitude toward all, and set on by the defendant's enemies, § 40.

9. *The outrage contemplated*, § 41.

D. Conclusion, §§ 42, 43.

1. Restatement of the decisive point of the defence (as established in Part I.), § 42.
2. Restatement of three decisive omissions of the accuser (as demonstrated in Part II.), which he must account for, before the court can give him their verdict, §§ 42, 43.

ΑΡΕΟΠΑΓΙΤΙΚΟΣ, supply ΛΟΓΟΣ.

1. — **βουλή**; the full title of the senate of Areopagus was *ἡ ἐν Ἀρείῳ πάγῳ βουλή* (XII., § 69). Sometimes it was also termed *ἡ ἄνω βουλή*, to distinguish it from the senate of Five Hundred, which held its sessions in the Agora below the hill. See *General Note*, XII. 2, and XVI. 3. — **βουλομένω...ἄγοντι**; observe the conditional force in each. — **δίκας**, see *General Note*, XVI. 7. — **συκοφάνταις**, see *General Note*, XII. 10. — **ἄστρ...οιόν τε**, H., 856, a. — **δεῖν...ἔσεσθαι**; Francken thinks that this rather extravagant expression comes from some old proverb. So we say, “as innocent as the babe unborn.” — **ἔσεσθαι**; for the present infinitive with *μέλλω*. see § 22, and G., 25, 2. — **τοιούτους**; as the present accuser, for instance.

— *οἱ κίνδυνοι*, “the [now so frequent] lawsuits,” H., 527, a. With *κίνδυνος* in this sense compare the forensic application of the Latin *periculum*. — *ἀδικοῦσι* has the force of a perfect here, corresponding to *ἡμαρτηκόσιν*, H., 698, *fine print*. G., 10, N. 4.

2. — *ἄγων*, the general word for a legal action of any kind. — *ώστε ἀπεγάφην*, the expression is condensed from something like the following: “that [I have not even a definite indictment to plead to, for] I was indicted,” etc. — *ἀφανίζειν*, G., 15, 3. — *μοριῶν*, in full, *μοριῶν ἔλαιῶν*, § 29, also § 7. — *νυνί*, emphatic. The accuser in his address to the court had abandoned the original indictment by charging a different trespass, viz. the removal of a *σηκός*; therefore *φασίν*, referring to a verbal charge, is more appropriate than *ἀπογράφονται*. — *ἀπελέγειαι*, Rauchenstein’s conjecture for the common *ἀποδεῖξαι*, an unstrained interpretation of which yields a meaning here incongruous. So Cobet.

3. — *ἄμ’ ὑμῖν...ἀκούσαντα*; these words belong together. For the accused not to know what he was charged with until he came into court, was not according to due form of law. See note to *κατήγορος καὶ δικαστής*, XII., § 81. — *πατρίδος...ούσιας*; banishment and confiscation were the penalty. — *ὅμως*. Having a strong case, the defendant disdains to press the technical point just raised.

4. — *Ἐν μὲν γάρ*, “for this was in fact.” — *Πεισάνδρου*, see XXV., § 9, and note. — *Απολλόδωρος*. He had taken part in the assassination of Phrynicus (for whom see XXV., § 9, and note) just before the downfall of the Four Hundred (see XII., §§ 42 and 66), and had been put to the torture to discover his accomplices. After the restoration of the democracy he was presented with distinguished rewards. See Curtius, *Hist.*, III., pp. 481, 490. — *ὁ Μεγαρεύς*, see note on *Μέγαραδε*, XII., § 17. — *Ἀντικλῆς*, not otherwise known. Thucydides (1. 117) mentions an Athenian general of that name about B. C. 440. — *ειρήνης*, after the surrender to Lysander, April, B. C. 404. For in the same year he let the place (§ 9) to Callistratus. — *ώνοιματι*, G., 10, 2. Scheibe reads *ἐωνούμην*, which lacks the aoristic sense here requisite to correspond with *λαβών* and *ἔξεμίσθωσεν*, and Cobet, *ἐιώηματι*, which incurs the same objection. The aorist middle of *ώνεομαι* is supplied by *ἐπριάμην*.

5. — *τοίνυν*, H., 867, 4, “therefore,” “then,” “now,” a particle of very frequent recurrence in this oration; often used to mark the advance of an argument, “now further,” “but now”; quite seldom the first word of a clause. — *χρόνου*, G., 173. H., 577. Construe with *ζημιοῦσθαι*. — *δικαιῶς*; for the involved protasis, see note on *μισεῖσθαι*, XII., § 54. — *δι’ ὑμᾶς*, see note on *δι’ ὑμᾶς*, XII., § 58.

6. — *τὰ μὲν πόρρω*, i. e. not in the immediate neighborhood of the city. After the occupation by the Lacedæmonians (B. C. 413) of the fortress of

Decelea, fourteen miles from Athens, one third of Attica was in the hands of the enemy. Observe the change of the construction from the *τοῦ τὰ μὲν πόρρω...τέμνεσθαι*, required by the preceding *αἴτιος*. — **διηρπάζετο**. Compare XIV., § 33, *ὑμᾶς φεύγοντας Φυλὴν καταλαβεῖν καὶ δένδρα τεμεῖν*. The *φίλοι* were all who fought against the Thirty. — **ἄλλως τε καὶ**, H., 857. A participle or a causal conjunction usually follows. See § 36. — **ἄπρακτον**, “useless,” suits the thought better than **ἀπρατον**, “not sold,” which Cobet reads. For the verbal adjective, see H., 398. — **πλεῖν ἡ τρία ἔτη** = “three years and over,” but less than four; **πλεῖω ἥ** = more than three years, possibly four.

7. — **οὐθαυμαστόν**, *G.*, 49, 2, N. 2. — **τὰ ἡμέτερ' αὐτῶν**, *G.*, 137, N. 1. *H.*, 676, *fine print*. — **ἡδυνάμεθα**, *G.*, 102, 1, N. *H.*, 308, *R. a.* — **δσῳ μάλιστα**, *G.*, 188, 2, *fine print*. *H.*, 610, *fine print*. The common text is *ὅτοι*. But that is not the speaker's idea, namely, that *as many* of the court as gave particular attention to such things would understand him, but rather, that *the court itself*, by as much as such things were its special province, would understand.

8. — **καὶ...τῶν αὐτῶν**, “and even when,” etc. — **ἐπέρων**, “if others,” etc. — **ἡ πον**, see XII., § 35, and *note*, also XXV., § 17. — **ἀφ' ὑμῶν**, construed with **ἀξημένους**. If construed with **πριαμένους**, the preposition would have been **παρά**.

9. — **πολλὰ ἔχων εἰπεῖν**, “though I could say much,” *G.*, 109, 7. — **πρὶν...γενέσθαι**, *G.*, 274. *H.*, 769. — **ἐπὶ Πυθοδώρου**, *H.*, 641, b. Pythodorus was First Archon under the Thirty, b. c. 404. After the restoration his name was struck off from the list of archons, and his year, instead of being called, according to custom, by his name, was called “the year of anarchy,” **ἡ ἀναρχία**. He may be the same as the Pythodorus, son of Isolochus, who is mentioned occasionally as a general in the Peloponnesian War (Thuc. III. 115).

10. — **ούτοσι** = “here present.” The persons named in this section are not known; unless, possibly, Proteas be the Proteas, son of Epicles, who was a naval commander in the Peloponnesian War (Thuc. I. 45). — **τρία ἔτη**; the common text connects these words with the foregoing thus: *ὅς τέθυνκε ταῦτα τρία ἔτη*. So Cobet and Scheibe. But the death of Alcias is mentioned only to account for his not being among the witnesses, and it was not the time since his death that was of consequence, but the time during which Proteas had leased the ground, as that covered the remainder of the period of the defendant's ownership up to the present. — **δμοίως**, “in the same condition,” i. e. without trees, as before stated. — **ἐμισθώσατο**, *H.*, 689, b.

11. — **ὁ χρόνος οὗτος**, i. e. the seven years thus accounted for. — **γεωργῶ**, *G.*, 10, 2. — **Σευνιάδου**, archon b. c. 397, seven years after the lease in

the time of Pythodorus. — ἐργαζόμενοι, *G.*, 16, 2. — μεμισθωμένοι, here pluperfect in signification, *G.*, 18, 4. — οἰόν τε...ἀφανίζειν: self-evident, and superfluous for argument, yet not unsuited to a gush of honest indignation. So *νομίζω...ξημοῦσθαι*, § 5.

12. — Here begins the second part of the oration. See *Analysis*. — φάσικοιεν...ἡγανάκτουν ἄν, *G.*, 62, Rem. and 30, 2. H., 704. — δεινόν, “sharp.” — ἀκριβῆ, “close.” — ἄν...βουλούμην, Lat. *velim*, *G.*, 52, 2. H., 752. Admirable is the dexterity with which the speaker turns the slur cast upon his character into a strong argument in his favor. See *Analysis*. — ἡγῆσθε, *G.*, 44, 2. — ἔργοις ἐπεχείρουν, *G.*, 187. H., 605. The accusative is more rarely used with this verb. — ἐγίγνετο, supply ἄν. [τῷ]; in Francken’s view, this results from a careless repetition of the last syllable of ἐγίγνετο. The article is out of place here, since the participle seems not to have a general reference, but to designate the speaker. — — περιποιήσαντι, Kayser’s emendation for the common text *ποιήσαντι*, which gives no antithesis to ἀφανίσαντι.

13. — ἀδικήσασιν, compare ἀδικοῦσι, § 1. The aorist is used, because the past commission of the illegal act is the point referred to, rather than the status of an *ἀδικος* resulting therefrom.

14. — τοῦ σηκοῦ ἔντος, *G.*, 278. H., 790, c. Translate: “by the olive-trunk being there.” — οἰκίας, *G.*, 182, 2. H., 589. — κινδύνων, *G.*, 180, 1. H., 584, c. For the article, see H., 527, c. The next words in Cobet’s text are as follows: εἰ τι τούτων ἐπραττον. Πολλὰς γὰρ ἄν, etc. — ἐπραττον...ἀποφήναμι, *G.*, 54, 1.

15. — μεθ’ ἡμέραν, H., 645, PHRASES. — ἐξέκοπτον, *G.*, 11, N. 6, an assumed fact. — ὥσπερ...δέον, *G.*, 109, N. 9, 110, 2. οὐ belongs to λαθεῖν; translate: “as if it were needful, not to be unobserved by all, but that,” etc. — καὶ here = καίτοι. — παριόντων, governed by ἡμέλησε. — ἐκινδύνευον, assumed, like ἐξέκοπτον above. Both of these verbs are logically in apodosis to an implied εἰ τι τοιοῦτον ἐπραττον.

16. — πῶς δ’. As a new argument and a strong one is here presented, we should have expected a more significant connective than the simple δέ, — perhaps καὶ μὲν δή, or δλλὰ μὴν...γε, or at least πρὸς δὲ τούτοις. But the artless style befits the simplicity of the speaker. — τοὺς ἐμαυτοῦ θεράποντας; for the position of the genitive, see H., 538, *fine print*. Θεράπων is the general word for one who renders any service; δοῦλος is a person in a permanent condition of servitude; ὑπηρέτης (XII., § 10) is a subordinate official, or in general an assistant. — συνειδότας, *G.*, 109, 4. — εἰ καί, H., 874, 2, a. — ἐπ’ ἔκεινοις, the demonstrative is sometimes thus used in *oratio obliqua* instead of the reflexive pronoun. — μηνύσασιν, *G.*, 109, 2. — ἐλευθέροις γενέσθαι, see ἐξάρνοις γενέσθαι, and note, XII., § 31.

17. — κινδύνων construed with οὐσης. For the asyndeton (H., 854), com-

pare XVI., § 16, ἐμβαλόντος ψηφισαμένων. — τοῖς εἰργασμένοις...προσῆκον, “it being alike incumbent on all those who had worked the place.” — εἶχον, G., 44, 3.

18. — οὗτος τ', G., 151, N. 4. H., 814. — ἀλλήλων depends on ταῦτα. — ἀποκρυπτόμενοι, G., 200, N. 2. H., 702, *fine print*. — καλ, “even.” — πινθάνονται, “find out.” — περὶ τῶν ἐμῶν, probably in regard to such matters as boundary lines, right of way, the trespassing of cattle, etc. The implication is, that if the defendant had really done anything which an enemy could take hold of, there were not wanting neighbors who would have availed themselves of the opportunity against him.

19. — οὗτως qualifies the whole phrase, τολμηρὰς...ποιεῖσθαι. — ἔξετεμνον, imperfect, because the cutting was done, as charged, *while* the defendant stood by. — ἀναθέμενος, i. e. upon the cart, ἄμαξα. — ὤχετο ἀπάγων, G., 279, N. See XII., § 75. Compare the colloquial English, “went and carried” = simply “carried.”

20. — Νικόμαχε; the Nicomachus against whom Lysias wrote Or. XXX. had held office before the time of the Thirty Tyrants, but this Nicomachus, is evidently (see § 29) a different person. — μάρτυρας, predicate-accusative, G., 166, N. 2. H., 556, a. — ἐν...τρόπῳ, the preposition is not necessary, G., 188. H., 608. — ἐβούλου...ἔλαβες; what difference here in the signification of the imperfect and aorist?

21. — πεῖσαι, instead we might have had πεῖσας, agreeing with the subject of ἡγούμην, or πεῖσαντι, agreeing with μολ. — ὑπὸ...δυνάμεως, H., 656, c.

22. — φήνας μ' ἰδών; the common text is φήσας μ' ἰδεῖν, to which Rauchenstein objects that φήσας is hardly a demonstrable Attic form: φήνας is the proper term for informing against a person before a magistrate. — τοὺς ἐννέα ἄρχοντας, that is, any one of them, but specially the king-archon is meant, who had jurisdiction in such cases. See *General Note*, XII., 1. — ἐπήγαγες, see *General Note*, 3. — οὗτω, the common text, for which Rauchenstein reads οὗτοι. But οὗτω is preferable on account of the implied protasis, G., 52, 1, as the argument has been proceeding on the ground that it would have been better for Nicomachus to do so and so. — συνήδεσαν...λέγοντι, “would have known that you spoke the truth.”

23. — δεινότατα...ὅσω; “now I am very strangely treated, inasmuch as.” — πιστεύειν, subject ὑμᾶς understood. — οὐκ εἰσίν: whenever εἰπι “signifies actual existence, it retains the tone. The 3 sing., especially, then takes the tone on the first syllable.” *Buttmann's Gr.*, § 108, IV. 3. — αὐτῷ ἐμοί: observe the juxtaposition of these pronouns in sharp antithesis. — ταύτην τὴν ζημίαν, the common text, which Scheibe retains, while Rauchenstein and Cobet omit τὴν. If τὴν be omitted, ταύτην is subject and ζημίαν predicate to γενέσθαι, ταύτην being attracted from τοῦτο, as in XXV., § 13 (see *note*). If τὴν be retained, — and there appears no con-

clusive reason for the omission, — then *τ. τ. ξ.* is simply the subject of *γενέσθαι*. — *τούτου*, masculine, not neuter; as the *μέν* shows the pronoun to be in antithesis with the following *ὑμᾶς δ'*. — *δήπου*, see XII., § 27, and note. — *συκοφαντῶν*, participle. — *ἀπορήσει*; for its position between the two genitives, compare note on *δέξαιτ'*, XXV., 24. Cobet reads *εὐπορήσει*.

24. — *πεδίω*; this was the broad “Athenian Plain,” watered by the Cephissus, and stretching westward of the city to that Mount Ægaleos, from which Xerxes witnessed the battle of Salamis, and on the farther side of which lay the plain of Eleusis. This central plain of Attica, in the midst of which the city stands, extends N. to Mt. Parnes, with its celebrated fortresses of Phyle and Decelea, N. E. to Mt. Pentelicus, famed for its marble, and S. E. to Mt. Hymettus, noted for its honey. “The plain of Athens is barren and destitute of vegetation, with the exception of the long stream of olives which stretch from Mt. Parnes by the side of the Cephissus to the sea.” Smith’s *Dict. Geog.* — *πυρκαϊάς*; probably trees which, after being burnt, had sprung up as wild olives. See *Virg. Geor.*, II. 303–314:

“Infelix superat foliis oleaster amaris.”

— *ἐπεργάσασθαι*, “to encroach upon,” i. e. by tillage. See *Introd.* — *ἡττον* qualifies *δῆλον*.

25. — *περὶ πολλοῦ ποιοῦμαι*, “I prize.” *G.*, 10, N. 1; comp. *ποιοῦμαι...* *ἡγοῦμαι*, § 26. — *τὴν ἄλλην*: for the *appositive* use of *ἄλλος*, see H., 538, e. Compare Xen. *Anab.*, I. 5, 5: *οὐ γὰρ ἦν χόρτος οὐδὲ ἄλλο δένδρον οὐδέν*. The thought is: I cared for those trees as for my country and fortune, considering that, if I trespassed, my risk involved both of these. — *μηνός*, referring to their monthly meetings.

26. — *οὕτω...ποιοῦμαι*, “care so much for.” — *ποιοῦμαι...* *ἡγοῦμαι*, see note on *ἡγοῦντο...ἐποιοῦντο*, XII., § 7. — *ἔξην...οἰόν τ' ἦν*, *G.*, 49, 2, N. 3. — *ἀφανίζων*; Rauchenstein reads *ἀφανίζω*, *ὡς νυνὶ κρίνομαι*. But the common text corresponds better with the parallelism of the whole sentence, and specially with *οὕτω θεραπεύων φαίνομαι*. The interrogation begins at *καὶ τὰς μέν*, — *μέν* signifying “while,” or “seeing that.” Compare note on *μαχομένους μέν*, XII., § 79.

27. — *Πότερον δέ*, a new argument. For the introductory *δέ*, compare note on *πῶς δ'*, § 16. — *παρανομεῖν*; for the position, see note on *ἀπορήσει*, § 23. — *οὐ λέγω ὡς*, “I do not mean that.” The remark just made had to be guarded against an unfavorable inference. The course of thought requires *δυνάμενος* to be taken absolutely, in the sense of “influential,” as in XXV., § 14, *οἱ τότε δυνάμενοι*. — *μᾶλλον ἔξην*, all the more since the authority of the Areopagus remained in abeyance during the tyrants’ time. Compare XXV., § 16.

28. — *Πῶς δ'*, a new argument, still introduced by the insignificant *δέ*.

— ἐκ τούτου, observe the emphatic position. — ὡς...εἶναι, “as this man says there was,” G., 15, 3. — τίς ἀν ἀπετόλμησε; “who would have had the foolhardiness?”

29. — **Δεινόν**, “strange.” — ἐπιμελεῖσθαι; for the omission of the article τό, see G., 91. — ἐπιμελητής; the relation of the ἐπιμεληταί to the γυώμονες is uncertain, but it is not unlikely that the former were a committee of the Areopagus upon all matters pertaining to the olive-trees, and that the γυώμονες, or inspectors, made their reports to them. — εἰδέναι, G., 92, 1, N. 2. ὥστε might have been prefixed, G., 266. H., 770. — ἀπογράψαι; Rauchenstein prefers to read ἀπογράψασθαι, on the ground that the middle is the proper technical term for an *indictment*, while the active rather means to *inform against*. This does not seem sufficient ground for changing the common text, the technical distinction being of no importance in the argument, which is, simply, that the accuser claimed to have made a discovery which he was the last man in the world to have made.

30. — **λόγους**, “accusations.” See XII., § 2, and XXV., § 2. — **ταῦτ'**, here emphasized, depends on λεγόντων. — **ἀνασχέσθαι** may govern either a genitive or an accusative. — **ἐνθυμούμένους ἐκ**, the participle is used absolutely (H., 495), “reflecting (on the subject),” while the preposition denotes the point of view. See the construction in XVI., § 20. — **πολιτεῖας**, “my conduct as a citizen.”

31. — **προθυμότερον...ώς**; ὡς must be translated here like η. Cobet and others insert η before ὡς. Buttmann, *Gr.*, § 149, 7, remarks: “Less accurately, and with a certain anacoluthon, instead of η, after *comparatives* we find ὡς (*ὅσον, οἷον*).” — **ἡναγκαζόμην**, see XX., § 13, and *note* on **προσταττομένων**. — **τριηραρχῶν...πολιτῶν**, see XXV., § 12, and *notes*. Compare also XII., § 20. — **οὐδένεὸς ἦττον**; the negative belongs to the adjective.

32. — **ποιῶν**, equivalent to *εἰ ποιούν*, referring to the actions as habitual; while the aorist would refer to them as past occurrences. — **μή** qualifies an implied **ποιῶν**. — **τῆς ἄλλης**, see **τὴν ἄλλην**, and *note*, § 25. — **πράξας**, observe the force of the aorist in contrast with **ποιῶν**, above. — **ἐκέρδαινον**, άν omitted. Compare **ἔνοχος ἦν**, § 37. — **καθίστην**; the other co-ordinate tenses being imperfect with reference to time present (**ἡγωνιζόμην** = “should be on trial”; **ἐκέρδαινον** = “should be gaining”), this tense, which might naturally have been an aorist like **πράξας**, follows suit by a kind of assimilation, and = “should be endangering myself,” i. e. as the facts came out in the present trial. Compare **συνελάμβανες**, and *note*, XII., § 26.

33. — **μεγάλων**, i. e. such important interests as home and fortune, § 25. — **περὶ ὧν...μαρτυρεῖ**, H., 810; this clause stands as the direct object of **ἥγεισθαι**, which has **πιστότερα** for predicate-accusative. — **μᾶλλον**, pleonastic, H., 665, b. — η **περὶ ὧν**, the regular form would be η **ἄ...κατηγορεῖ**, but Lysias, as often, prefers to parallel the preceding construction. Com-

pare note on *αἰσθάνεσθαι*, XXV., § 23. — *κατηγορεῖ*, in *homocotelenon* with *μαρτυρεῖ*. See XXV., § 24, *πονηρίαν*, and *note*.

34. — *σκέψασθε*, H., 495. — *ἔχων*, G., 109, N. 8, last clause. — *πάντες*, emphasized by its position, since the value of the proposal lay in this word. — *βασανίζειν*, see *General Note*, 2. — *οὗτος*, G., 52, 1. — *λόγων...ἔργων*, a contrast repeatedly made prominent in this oration, see §§ 21, 30, 33, 43. This was one of Lysias's characteristic points as a reasoner. See also XII., §§ 5, 33, XVI., § 19, XXV., § 13.

35. — *οὐδέν*, H., 848, a. — *δεινὸν...εἴλοντο*; a difficult construction. Rauchenstein conjectures, unnecessarily, that *εἴλοντο* has been substituted for *ἔλοντο*. Logically, this belongs to the protasis introduced by *εἰ μέν*. But *ἄν* marks *εἴλοντο*, in form at least (comp. G., 49, N. 4, b), as an apodosis to some *implied* protasis after *περὶ δέ*; but [should they so accuse themselves] they would have chosen to shield their hated masters, etc. H., 886. Compare G., 49, 2, N. 5. — *πεφύκαστι*, G., 200, N. 6. H., 712.

36. — *καὶ μὲν δή*, XII., § 30, *note*. — *συνειδένειν*; some such participle as *ἀδικῶν* (or *ἀδικοῦντι*, G., 113, N. 6) may be supplied. — *παραδιδάντος*; this expresses the *offer*, rather than the actual delivery, G., 10, N. 2. See *ἀποκρυπτόμενοι* and *note*, § 18. — *σχεῖν*, “to form”; H., 708: “to hold an opinion” is *γνώμην ᔁχεῖν*, §§ 12, 23. See also XXV., §§ 1, 3. — *ἄλλως τε καί*; see § 6, and *note*.

37. — *περὶ ἐμοῦ...τούτῳ*; notice the emphatic position of each of the contrasted pronouns. — *ἴνοχος ήν*, G., 49, 2, N. 2. Compare *ἐκέρδαινον*, § 32. But if slaves were subjected to torture *on demand* of the opposite party, he had to indemnify the owner. — *πολὺ...προσῆκεν*, “it was much more *his duty* to accept, than *my interest* to offer.” — *εἰς τοῦτο προθυμίας*, i. e. the challenge to examine the slaves. — *μετ' ἐμοῦ*, “for my advantage.” — *μαρτύρων*; Rauchenstein changes the common text here to *μαρτυριῶν*.

38. — *ἐνθυμεῖσθαι δὲ χρή*. How does this tense present the conception of time as contrasted with that in *ἐνθυμηθῆναι δὲ χρή*, XXV., § 21? — *οἰς*, referring to himself as representing *a class*, who, with strong evidence in their favor, are audaciously accused by sycophants. — *τετόλμηκε*; supply *μαρτυρεῖν*. — *καὶ πότερον*; before these words supply *ἐνθυμεῖσθαι χρή*. — *αἰτιάσασθαι*, the common text, preferable to Kayser's emendation *αἰτιάσθαι*, which Rauchenstein adopts. See G., 23, 2. But the connected *βοηθεῖν* is present, because denoting the continuous action of the accuser in endeavoring to make good his *αἰτία*.

39. — *ἀγῶνα*, G., 159. H., 547, a. — *ώς* belongs to *ἐλπίζων*. — *δσω*, see *δσω μάλιστα*, § 7, and *note*. — *ἀπορώτατοι τῶν κινδύνων*, literally, “completely without means to extricate themselves from dangers,” is equivalent to our colloquial phrase, “hard up.” — *τούτῳ* = *τοσούτῳ*.

40. — *παρέσχον ἐμαυτόν*, H., 688, a. So in § 41. — *διηλλάγην*, so strong

was his case that he felt no need of gaining favor: — οὐ...έπαινοῦσι, a strong remark, showing the honest farmer himself to be “a good hater.” — καὶ φανερῶς; καὶ here, as in § 15, = καίτοι.

41. — γενοίμην, εἰ...καταστήσομαι, *G.*, 54, 1, b. — ναυμαχίας...μάχας, a customary argument, especially of those who lacked stronger ones. See XXV., § 12. — κόσμιον, the common term for, as we say, “a respectable citizen.” See XVI., § 18; XII., § 20. — ἐν δημοκρατίᾳ, see XXV., § 7, and *note*.

42. — Ἀλλὰ γάρ, *H.*, 870, d, see XII., § 99, supply παύσομαι λέγων. — ἐνθάδε, speakers before the Areopagus were expected to keep to the facts, with less latitude of appeal than in other courts. — ἀπέδειξα δ'; δέ here = “for,” as in XII., § 68, ὑπέσχετο δέ. — ἐπ' αὐτοφάρῳ, i. e. by the *ephegesis*, § 22.

43. — πιστὸς γενέσθαι, *H.*, 398, “to be believed.” — ἔργοις; because witnesses would have given his words the weight of facts. — ἀδικοῦντα, supply με. — διδόντος, see *note* on παραδιδόντος, § 36. — φησὶ παραγενέσθαι, see § 19.

ADDITIONAL NOTE.

It is open to question whether the unusual γνώμην σχεῖν of § 36 may not have arisen from a misreading of an original ξχεῖν, through the similarity between ε and ξ, an ancient form of Σ. I am indebted for this suggestion to my learned friend Dr. Ezra Abbot, of Cambridge.

A TABLE

Showing the variations of RAUCHENSTEIN'S text from that of
C. SCHEIBE (*editio altera aucta et emendata*), as published by
TEUBNER, 1874.

Scheibe's reading stands first in each passage.

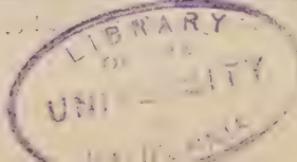
XVI. 2. ή κακῶς — []. 3. ἐπιδείξω — ἀποδείξω....οὔτ' ἐπεδήμουν — [].
4. καθαιρουμένων — *add* ἐπεδήμουν. 5. σχόντες — ἔχοντες....καὶ τοῖς μηδέν — *om.* τοῖς. 6. ἐπιγεγραμμένοι — ἔγγεγραμμένοι. 7. παραλαβόντα — καταβαλόντα. 9. ταύτης — αὐτῆς. 11. ή περὶ τάς — ή ἐτέρας. 13. πρὸς τοὺς Βοιωτούς — [] τούς....εἰναι δεῖν — [] δεῖν. 15. ἐνθανόντων — ἀποθανόντων....ὕστερον — ὕστερος....Στειρέως — Στειριῶς. 18. τολμᾶ — κομᾶ. 19. περιερχόμενοι — ἀμπεχόμενοι. 20. τῶν τῆς — τὰ τῆς. 21. τούτους — τοὺς τοιούτους.

XII. 3. ποιήσωμαι — ποιήσομαι. 5. πονηροὶ μέν — [] μέν....φάσκοντες δέ — *om.* δέ. 6. τὴν δ' ἀρχήν — τὴν ἀρχὴν δέ. 11. ὡμολόγησα — ὡμολόγητο....ἀργυρίου τέσσαρας — ἀργυρᾶς τέτταρας. 12. ὅπῃ — ὅποι....εἰς τοῦ ἀδελφοῦ — *eis* τάδελφοῦ. 15. ἡγούμην μέν, εἰ — ἡγούμην, εἰ μέν. 18. οὐδεμιᾶς — *prefix* [έξ]....κλίσιον — κλεισίον. 20. οὐκ ἄν — οὐδ' ἄν. ...πάσας — πάσας μέν....λυσαμένους· τοιούτων — λυσαμένους τοιούτων. 21. τῆς πόλεως — []. 25. ἐγίνοντο — ἐγίγνοντο...."Ινα μὴ ἀποθάνωμεν; — "Ινα ἀποθάνωμεν ή μὴ ἀποθάνωμεν; 26. ἀποκτένεις; — ἀποκτείνεις....δοῦναι — *prefix* [δεῖν]. 27. ἐπεί τοι τῷ — ἐπειτα τῷ....[ἐναντίαν] γνώμην — *om.* [ἐναντίαν]. 28. ὑμᾶς εἰκός — transpose. 30. σώζειν τε αὐτὸν καὶ — σώζειν αὐτὸν κατά....πάντες — πᾶσι....31. οἶόν τ' — οἶόντ'. 34. ἐτύχετε — ἐτυγχάνετε....ἀπεψήφισασθε — ἀπεψηφίζεσθε. 35. τιμωρουμένους — κηδομένους. 38. ἐστί — ἐστίν....φίλας — φιλίας. 39. ήν τίνα — ἦντινα. 40. οἴα τῆς — οἴα τὰ τῆς. 41. ὑπὲρ αὐτῶν — ὑπὲρ αὐτοῦ. 42. ἐπραττε — ἐπραττεν. 44. Ψηφίσαισθε — ψηφιεῖσθε. 45. γάρ καὶ — γάρ [καὶ]. 48. ἔχρην ἄν — [] ἄν....γίνεσθαι — γίγνεσθαι. 50. τῷ λόγῳ — τοῖς λόγοις. 51. ὄπότεροι — *add* [μόνοι]....ἀρξουσι — ἀρξουσιν. 52. εἰ γάρ — καὶ γάρ εἰ....κάλλιον ἄν — [] ἄν....ἐγίνοντο — ἐγίγνοντο. 55. ὁ τῶν τριάκοντα γενόμενος — []. 56. οἷς καὶ — ω̄ καὶ....θάσσον — θάττον. 57. ἀδίκως ἔφευγον, ὑμεῖς δικαίως — δικαίως ἔφευγον, ὑμεῖς ἀδίκως....ἀδίκως, οἱ τριάκοντα δικαίως — δικαίως, οἱ τριάκοντα ἀδίκως. 62. παραστῆ — προσστῆ. 66. γινομένους — γιγνομένους. 67. ἀπώλεσε — ἀπώλεσεν. 68. αὐτῷ — αὐτῷ 71. λεγόμενος — ὡμολογημένος. 72. ἀπειλοῖ — δια-

πειλοῦτο. 75. δὲ ὥχοντο — δ' ῥχοντο. 76. παρηγγέλλετο — παρήγγελτο. 77. δι' αὐτόν — δι' αὐτόν...πίστεις αὐτός — πίστεις αὐτοῖς. 78. ἥδη — δίς. 79. τούτου· — τούτου...μαχομένους [μέν] — ομ. []. 81. Κατηγόρηται δή — Κατάγνωτε δέ. 82. ἀκρίτους ἀπέκτειναν — transpose. 83. δημεύσαιτε — δημεύσετε...οἰκλας — *prefix* τάς. 84. παρ' αὐτῶν — add [ἀξίαν]. 85. τῶν [τε] πεπραγμένων — ομ. []. 86. ξυνερούντων — συνερούντων. 87. τὸ ὑμέτερον πλήθος — τοῦ ὑμετέρου πλήθους. 88. ἀπωλέσασιν — ἀπωλέσασι. 89. ῥάδιον — ῥάον. 90. δείξατε — δείξετε. 98. γίνεται — γίγνεται. 99. [οὐδέν] — ομ. []. 100. καταψήφιεσθαι — κατεψήφισμένους ἔσεσθαι.

XXV. 1. οἱ σαφῶς — καὶ σαφῶς...ζητοῦσι — ζητοῦσι...κερδαίνειν ἥ — []. 2. ὁμοῦ — [πάνθ' ὁμοῦ]. 4. ἀποφανῶ — ἀποφήνω. 5. τεκμήριον — *prefix* [έμοι]. 7. δημοκρατίας — *prefix* οὐδ...κάγω περὶ ἐμαυτοῦ τὴν ἀπολογίαν ποιήσομαι, ἀποφανών — []. 9. προστάντας — προστάτας...μετεβάλοντο — μετεβάλλοντο. 10. ζητοῦντας — ζηλοῦντας...οὔτως — οὔτω. 11. τὰς τούτων — τὰς περὶ τούτων. 12. ἡς τινος — ηστινος. 13. γίνοιτο — γένοιτο...ἀλλὰ [καὶ] ἐκ — ἀλλὰ ἐκ. 14. οὔτως — οὔτω. 19. τῶν ὀλίγων — [] τῶν...κοινὰ γίγνεσθαι — transpose. 20. περὶ ὑμῶν αὐτῶν — []. 22. δὲ πυνθάνοισθε — δ' ἐπυνθάνεσθε...δὲ ἄλλους — transpose...ὑπὲρ ἡμῶν — ὑπὲρ ὑμῶν. 27. διετέθητε· τούς — διετέθητε ὥστε τούς...γίνεται — γίγνεται...πολλάκις χρῆσθαι — ομ. πολλάκις...πειθομένους — *prefix* πολλάκις. 29. ἐν ὀλιγαρχίᾳ καὶ ἐν δημοκρατίᾳ — ἐν δημοκρατίᾳ καὶ ἐν ὀλιγαρχίᾳ. 30. ὑποψίαν — ὑποψίας. 31. οὔτως — οὔτω. 32. καὶ τούτων — καίτοι τούτων. 33. τῶν ἐκ Πειραιῶς κινδύνους — ἐκ Πειραιῶς [κινδύνους]. ...σωτηρία — σωτήρια...ἐπιλύσεσθαι — ὑποδύσεσθαι...τὸ αὐτὸ πάντες — τοῦτ' αὐτὸ δείσαντες. 35. εἰς ὑποψίαν καταστήσετε...

VII. 2. οἰόμενοι — ἡγούμενοι. 4. τῶν δυντων δ' ἐκείνου — δὲ τῶν ἐκείνου...ἐώνομύην — ὡνοῦμαι. 5. μυρίαι — μορίαι. 6. πλεῖον — πλεῖν. 7. δσοι — δσω. 10. εἰργάσατο ἐνιαυτόν — ομ. ἐνιαυτόν...τέθνηκε ταῦτα τρία ἔτη· ὁμοίως — τέθνηκε· κάτα τρία ἔτη ὁμοίως. 12. ἐγίνετο — ἐγίγνετο. τῷ ἀφανίσαντι — [] τῷ...τῷ ποιήσαντι — [τῷ] περιποιήσαντι. 13. ἐγίνετο — ἐγίγνετο. 14. παρ' ὑμῖν — παρ' ὑμῶν...κινδύνων, εἰ τι τούτων ἐπραττον. πολλάς — κινδύνων. ἐγὼ δέ, εἰ τι τοιοῦτον ἐπραττον, πολλάς. 16. οἴόν τε ἦν δίκην με — οἴός τε ἦν δίκην...εἰδείην — ἥδειν. 17. σῶον — σῶν...παρέδοσαν. — παρέδοσαν; 18. [τὸν παριόντας ἥ] — ομ. []. 22. φίσας μ' ἰδεῖν — φίσας μ' ἰδών...οὔτω — οὔτοι. 23. δς — δσω...ταύτην τήν — ταύτην...τοιούτων γε — τοιούτων τε. 25. καὶ τὴν πατρίδα — []...ἐξημίλωσεν — ἐξημιλώσε μ'. 26. ὡς ἀφανίζων νυνὶ κρίνομαι; — ἀφανίζω, ὡς νυνὶ κρίνομαι. 27. τοιοῦτο — τοιοῦτον. 29. ζημιώσαι — ζημιώσαι με...ἀπογράψαι ἀπογράψασθαι. 36. ξυνειδέναι — συνειδέναι. 37. ἥλεγχον — ἔλεγον, ἢ οὐτος ἐβούλετο...ώμολόγουν, ἢ οὐτος ἐβούλετο — ὡμολόγουν...μαρτύρων — μαρτυρῶν. 38. αἰτιάσασθαι — αἰτιάσθαι. 39. τοσούτῳ — τούτῳ. 41. ἀθλιώτατος ἄν — transpose.



TOPICS

TREATED OF IN THE GENERAL NOTES TO THE SEVERAL
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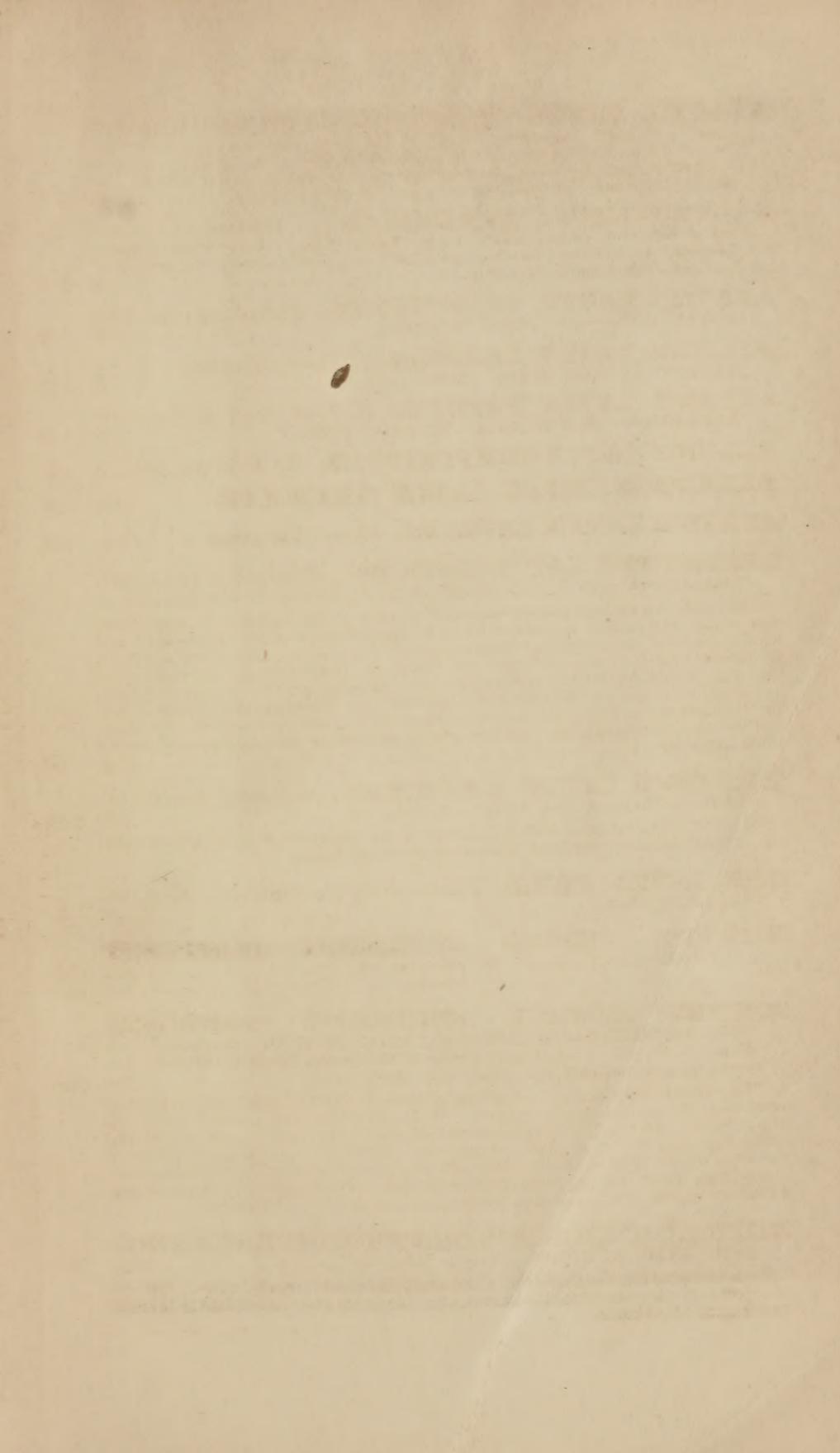
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